

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-374

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 11, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: May 14, 2009

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 24 – Finance Department – in Part 4 – Risk Management Division – to include within the specified duties of the Risk Manager the authorization to sign insurance coverage binders in the course of procuring insurance coverage for the City and its independent agencies in accordance with the City procurement code and the availability of appropriated funds. The amendment also designates the Risk Manager as the City’s “Authorized Representative” for purposes of the City’s compliance with the federal “Medicare, Medicaid and SCHIP Extension Act of 2007”. The bill also amends Ordinance Code Chapter 128 – Risk Management Program – to clearly enumerate the Risk Manager’s ability to sign insurance coverage binders and to purchase insurance coverage that transfers some or all of the City’s self-insurance risk to third parties.

Background Information: The federal Medicare program has recently enacted new regulations that require the City to undertake certain steps to coordinate Medicare benefits with other insurance benefits (i.e. worker’s compensation coverage and City self-insurance benefits) and to designate an Authorized Representative who is Medicare’s single point of contact with the City. This bill designates the City’s Risk Manager as that Authorized Representative. The bill also adds language to the Finance Department chapter of the Ordinance Code explicitly authorize the authority of the Risk Manager to sign insurance policy binder documents to institute coverage before the insurance company has received its first payment. Typically all agreements on behalf of the City must be signed by the Mayor; this bill creates a specific exception for this type of transaction where the Risk Manager is the logical party to execute the document on behalf of the City, subject to the insurance having been properly procured through the usual procurement procedures and funds having been appropriated for the purpose.

Policy Impact Area: Insurance procurement and coordination procedures

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2009-375

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 12, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: May 15, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$182,039 in continuation grant funding from the Florida Department of Law Enforcement to the Criminal Justice Training Trust Fund, to be used exclusively for advanced and specialized training for law enforcement and correctional officers, administrative costs, and operating capital outlay approved by the Criminal Justice Standards and Training Commission, in accordance with Section 943.25, Florida Statutes, and as initiated by B. T. 09-114; providing a carryover of funds to Fiscal Year 2009-2010; adopting a budget for Fiscal Year 2009-2010 (7/1/09 – 6/30/10).

Background: In accordance with Chapter 943.25 Florida Statutes, legislation is required to appropriate funds and adopt the budget for the 2009-2010 fiscal year for the Criminal Justice Training Fund. These funds are to be used for advanced and specialized training for law enforcement and correctional officers and for administrative costs as approved by the CJSTC).

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: This ordinance appropriates \$182,039

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-376

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 12, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: May 15, 2009

Type of Action: Appropriation; Contract Authorization

Bill Summary: This ordinance concerns a continuation grant; the bill appropriates \$770,472 from the Child Support Enforcement Division of the Florida Department of Revenue ("DOR") to provide funding to the Jacksonville Sheriff's Office for service of papers by private process servers and service of writs of attachment in child support cases for the period of July 1, 2009 through June 30, 2014, as initiated by B.T. 09-115; provides for a carryover of funds to subsequent fiscal years; approves and authorizes the Mayor and Corporation Secretary to execute and deliver a standard contract with DOR for the service of process and writs of attachment in the DOR Child Support Enforcement Program and to take further action to implement the purpose of this ordinance.

Background: This legislation appropriates funding in a continuation grant that funds the Child Support Enforcement Division for papers served by private process servers utilized by JSO and for services of writs of attachment in child support cases.

Policy Impact: Jacksonville Sheriff's Office

Fiscal Impact: This ordinance appropriates \$770,472

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-377

Sponsor: Council President at the request of the Mayor:

Date of Introduction: May 12, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: May 15, 2009

Type of Action: Appropriation

Bill Summary: This ordinance concerns a continuation grants; the bill transfers \$141,502.48 from the All Years Fund balance to the appropriate sub-object accounts to provide funding to continue operating the grant-funded after school program at Mary Lena Gibbs Community Center for Fiscal Years 2008-2009 and 2009-2010, grant funds for these two years not having been requested from the Jacksonville Children's Commission because of the amount of money available in the All Years balances, as initiated by B.T. 09-118; provides for a carryover of funds to Fiscal Year 2009-2010; provides for City oversight by the Department of Recreation and Community Services.

Background: This legislation will enable to grant funded after-school program at Mary Lena Gibbs Community Center to operate for FY 08/09 and 9/10 without requesting funds from the Jacksonville Children's Commission. This community center is located in Council District 10.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This bill transfers (appropriates) \$141,502.48.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-378

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

Date of Introduction: May 12, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Landmark Designation

Bill Summary: This bill designates Lynwood Christian Church as a landmark and landmark site, finding that at least 3 of the required criteria are met. The Council directs the Zoning Administrator to note such designation on the City's Zoning Atlas. The Chief of Legislative Services is directed to notify each applicant, the property owner, and the Property Appraiser, and to record this ordinance in the Duval County public records.

Background Information: Lynnwood Christian Church is located at 5200 Wesconnett Boulevard between Dorminy Avenue and Hiram Avenue. It is described as consisting of a 1941 masonry sanctuary with a two-story addition, an adjacent parsonage, and the original one-story wood church. The criteria met include (1) value as a significant reminder of heritage; (2) distinguishing characteristics of a valuable architectural style; and (3) suitability for preservation. The Planning and Development Dept. has recommended approval.

Policy Impact Area: Historic Preservation

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-384

Sponsor: LUZ Committee

Date of Introduction: May 11, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Amendment to previously-approved DRI; finding of non-substantive deviation from DRI order

Bill Summary: The bill amends the Freedom Commerce Center Development of Regional Impact order (originally adopted in 1987 and subsequently amended on numerous occasions) to: change the allocation of land among various land uses and the conversion table minimum and maximum land use allocations; revise a project map; delete six special conditions on development as a result of conditions placed on the development by the St. Johns River Water Management District and changes in the proposed development location and density; revise several transportation-related provisions, and extend the build-out date for the project is extended from 2010 to 2013. The bill finds that the proposed changes are not substantive amendments to the DRI development order.

Background Information: The propose change would reduce the development rights by 100,000 sq. ft. of retail/commercial space, 38,962 sq. ft. of industrial space, 650 hotel rooms and 1,000,000 square feet of office space and would add 752 multifamily residential units, which would reduce p.m. peak hour trips by 1,312 or 27.33 percent. Map H would be revised to increase conservation areas and delete the extension of Freedom Commerce Parkway while providing for more residential parcels. As a result of conditions on the development of the property by the St. Johns River Water Management District after a very contentious permit application process, the developer will not be developing substantial wetland areas and therefore a number of conditions relating to wetland loss mitigation, mandatory setbacks, wetlands monitoring programs, and restoration/enhancement of wetland mitigation areas are being deleted. The reduction in retail, industrial, hotel and commercial uses will reduce the amount of traffic to be generated by the development, so provisions relating to the extension of Freedom Commerce Parkway and contribution of \$2,125,190 as a fair share assessment are deleted from the development order.

Policy Impact Area: DRI amendment

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2009-385

Sponsor: Council President at the Request of the Mayor

Date of Introduction: May 12, 2009

Committee(s) of Reference: F

Date of Analysis: May 14, 2009

Type of Action: Agreement Approval

Bill Summary: This bill approves a vehicle maintenance agreement with the Florida Department of Transportation, authorizing the Mayor and Corporation Secretary to execute said agreement. Additionally, authorization is given for vehicle maintenance agreements for future use.

Background Information: Information from the Fleet Management Division states that this division has been providing maintenance and repair services for Florida Dept. of Transportation (FDOT) vehicles and equipment for the past six years, and that the current agreement will expire June 1, 2009. While this is a one-year agreement, the division indicates that FDOT intends to enter into a five-year agreement, but was unable to do so this year due to a computer issue.

Policy Impact Area: Fleet Management

Fiscal Impact: Undetermined; information from the Fleet Management Division states that such agreements have allowed it to generate annual revenues of approximately \$250,000 from an external source

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-386

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 11, 2009

Committee(s) of Reference: TEU

Date of Analysis: May 14, 2009

Type of Action: Roadway closure and abandonment and/or disclaimer

Bill Summary: The bill closes and abandons and/or disclaims City ownership of the unopened right-of-way of Superior Street south of its intersection with Beaver Street. The abandoned right-of-way is conveyed to the adjacent property owner – Leslie Washington – for the standard \$1,500 closure fee.

Background Information: The parcel being abandoned is an unopened right-of-way being the extension of Superior Street beyond its dead-end into Beaver Street, west of McDuff Avenue on the Westside. The parcel is 14,632 square feet or one-third of an acre.

Policy Impact Area: Road closure and abandonment

Fiscal Impact: The adjacent property owner paid the standard \$1,500 right-of-way closure fee.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-387

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 11, 2009

Committee(s) of Reference: TEU

Date of Analysis: May 14, 2009

Type of Action: Ratification of previously approved roadway closure and abandonment

Bill Summary: The bill ratifies the City's previous closure and abandonment and/or disclaimer of portion of McKenna Drive on the Northside to correct any potential mistake in the determination of ownership at the time of the previous actions.

Background Information: The City enacted ordinances in 1978, 1983 and 1989 closing, abandoning, and or disclaiming any City interest in the right-of-way of McKenna Drive, formerly known as a portion of Heckscher Drive, near Sister's Creek on the Northside. At the time the City acted it was believed that the roadway was under City ownership. A subsequent title search has raised a question about whether the roadway was actually owned by the City or by the State of Florida at the time, calling into question whether the previous actions were valid or not. This bill re-enacts those closures/abandonments/disclaimers now that the right-of-way is clearly in City ownership.

Policy Impact Area: Road closure and abandonment

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Resolution 2009-388

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 11, 2009

Committee(s) of Reference: TEU

Date of Analysis: May 14, 2009

Type of Action: Consent to FDOT highway interchange project

Bill Summary: The resolution expresses the City's consent for the Florida Department of Transportation to construct a new Marietta interchange on I-10 on Jacksonville's Westside.

Background Information: The existing Exit 355 allowing entry to and exit from I-10 to Greeland Avenue is old and the very short ramps and sharp radius turns do not meet modern highway standards. The project is in the FDOT's work program but requires the City's consent in the form of a resolution permitting the construction of a limited access roadway facility.

Policy Impact Area: Highway improvement

Fiscal Impact: None to City

Analyst: Clements

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Bill Type and Number: Resolution 2009-389

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

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 7, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the appointment of Devin Reed to the Cultural Service Grant Committee, replacing Peggy Cornelius as a Cultural Council representative, for a term ending December 31, 2011.

Background Information: Section 118.605, *Ordinance Code*, provides that membership of the Cultural Service Grant Committee shall include five members of the Cultural Council Board confirmed by the City Council. Mr. Reed is a Florida licensed general contractor and received both a bachelor's degree in construction engineering and a law degree from the University of Florida. He has been employed with the City of Jacksonville since 2002, and serves as the Director of Central Operations. He resides in the College Park area within Council District #8.

Policy Impact Area: Cultural Service Grant Committee operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-390

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 7, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Richard S. Browdy to the Jacksonville Housing and Community Development Commission, as a representative of "areas of labor in home building in connection with affordable housing", for a first full term ending November 30, 2011.

Background Information: Section 55.203, *Ordinance Code*, provides that five of the members of the Jacksonville Housing and Community Development Commission shall be appointed by the Council. Mr. Browdy received a bachelor's degree in sociology from the University of Miami and is President and CEO of *Browdy & Browdy, Inc.* He has previously served on the Jacksonville Housing and Community Development Commission, the Building Codes Adjustment Board, and the Duval County Housing Finance Authority. Mr. Browdy resides in the San Jose Forrest area within Council District 5.

Policy Impact Area: Jacksonville Housing & Community Development Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-391

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 7, 2009

Type of Action: Appointment

Bill Summary: This bill appoints William R. Cesery to the Enterprise Zone Development Agency Board, completing the unexpired term formerly held by Jack Meeks, ending December 31, 2011.

Background Information: Section 501.103, *Ordinance Code*, provides that the membership of the Enterprise Zone Development Agency Board may include up to five general members. Mr. Cesery received a bachelor's degree in building construction from the University of Florida and is President of *Wm. R. Cesery Co.* He is a Florida licensed General Contractor and Real Estate Broker. Mr. Cesery resides in the Miramer area within Council District #5.

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 2009-392

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 7, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Andy W. Sikes to the board of the Jacksonville International Airport (JIA) Area Redevelopment Agency Board, replacing Jeffrey Ludwig as the representative for School Board District 7, for a first full four-year term beginning July 1, 2009 and ending June 30, 2013.

Background Information: Per Ordinance 90-409-293, which created the JIA Area Redevelopment Agency, the board consists of seven members appointed by the Council, one each from the seven School Board districts. Mr. Sikes received a master's degree in planning from Florida State University. He was employed with the City of Jacksonville as an Emergency Preparedness Planner Senior prior to his employment with Baptist Health as the Director of Safety, Security, Parking and Emergency Management Services. Mr. Sikes also serves on the Downtown Development Review Board and the Security & Emergency Preparedness Planning Council. He resides in the Chimney Lakes area within Council District #14.

Policy Impact Area: JIA Area Redevelopment Agency Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Ordinance 2009-394

Sponsor: Council President at the request of the Enterprise Zone Development Agency Board

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 7, 2009

Type of Action: Resolution Amendment

Bill Summary: This bill amends resolution 2007-406-A, regarding the appointment of Paul Tutwiler to the Enterprise Zone Development Agency Board, adding the membership category of "Zone Resident" for Mr. Tutwiler, retroactive to February 19, 2009.

Background Information: Section 501.103, *Ordinance Code*, provides that the members of the Enterprise Zone Development Agency Board shall be appointed by the City Council, in various categories, including "Zone Resident". The resignation of the Jack Meeks from the board created a vacancy in the "Zone Resident" category. Since current board member Paul Tutwiler is eligible to fill that category, the board has requested that his appointment be amended to include the "Zone Resident" membership category retroactive to February 19, 2009, the date of Mr. Meeks resignation.

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 2009-395

Sponsor: TEU Committee

Date of Introduction: May 11, 2009

Committee(s) of Reference: TEU

Date of Analysis: May 14, 2009

Type of Action: Amendment to previously-approved fair share assessment contract

Bill Summary: The bill amends the fair share contract between the City and Pecan Park Road Investments, LLC for the Pecan Park Road Townhomes & Retail project on Pecan Park Road between I-95 and Tison Road in 4 areas:

1. extending the term of the contract for 5 years through May 30, 2017;
2. converting capacity for 322 townhomes to 1,000,000 square feet of industrial uses;
3. adding a new holding fee for the reservation of concurrency capacity for the duration of the agreement;
4. establishing a system of matching usage of vested trips with usage of "paid" trips on a 1-to-1 basis.

NOTE: See also companion bill 2009-404

Background Information: Pecan Park Road Investments, LLC and Louis Huntley Enterprises hold a fair share agreement and development rights agreement, respectively, over the same parcel of property on Pecan Park Road. This bill and companion bill 2009-404 provide for the combination of development rights of these two agreements, for the extension of both agreements to May 30, 2017, and for the conversion of property uses and the utilization of concurrency capacities for developments on the parcel. The revised development plan calls for 1,000,000 square feet of industrial uses (warehouse, light industrial, business park) and 93,000 square feet of retail uses on 115 acres. The revised fair share contract amount is \$3,370,572 (up from \$3,158,661) in Fair Share Sector 6.2, with a 5 year term. The bill provides for a combination of vested trip capacity from the development agreement and the fair share trip capacity created by payment of the fair share assessment to be used throughout the parcel on a 1-to-1 basis.

Policy Impact Area: Fair share agreement

Fiscal Impact: The revised fair share contract is for \$3,370,572 in Fair Share Sector 6.2

Analyst: Clements

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Bill Type and Number: Ordinance 2009-399

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

Date of Introduction: May 11, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Designation of historic landmark; Ordinance Code waiver

Bill Summary: The bill waives the Ordinance Code requirement that buildings must be 50 years old before they can be designated as a historic landmark and designates the former Haydon Burns Library building at 122 North Ocean Street as a city historic landmark.

Background Information: The library, designed by noted Jacksonville architect Taylor Hardwick, was completed in 1965 at the end of downtown Jacksonville's so-called "Decade of Progress" and is a significant example of mid-1960s modern architecture. The Historic Preservation Commission in recommending the library's designation noted that the building meets 5 of the 7 criteria for designation (a minimum of 2 is required for designation) and is clearly a very significant building in Jacksonville's history. The building is 44 years old so would be eligible for designation without the waiver in 6 years, but the commission recommends its designation now because of its significance to the community.

Policy Impact Area: Historic landmark designation

Fiscal Impact: None

Analyst: Clements

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Bill Type and Number: Ordinance 2009-401

Sponsor: Council Member Jones

Date of Introduction: May 12, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends sections 326.103, 656.1303(k), and 656.1334, Ordinance Code, to include an exemption allowing signs on transit shelters located on public rights-of-way or on publicly owned property. These sections deal with signs and outdoor display structures, zoning limitations on signs, and signs exempted from requirements for permits, fee payment, or design review by the Downtown Development Authority, respectively. Section 326.104, concerning unlawful sign structures, is amended to reference the exception provided in Section 326.103(p). The current text of the amended Ordinance Code sections is attached to the bill as Exhibit 3. Severability is provided.

Background Information: The bill states that the United States Court of Appeals, Ninth Circuit, on January 6, 2009, held that permitting advertising on transit shelters on public rights-of-way or on public property, while otherwise banning offsite signs to promote traffic safety and aesthetics as substantial government interests, is not unconstitutionally underinclusive under the First Amendment of the United States Constitution.

Policy Impact Area: Signs; Zoning; Transit Shelters; Rights-of-Way; Public Property

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-402

Sponsor: Council Member Crescimbeni

Date of Introduction: May 12, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Ordinance Code Amendment

Bill Summary: This bill amends Section 326.104 (Unlawful Sign Structures), Ordinance Code, to require that it be unlawful and a violation of the Building Code to erect, alter, or maintain a sign which is tacked, tied, pasted, or otherwise affixed to a hydrant, tree, lamppost, public pay phone, telephone, telegraph or electric utility pole, fence or building, or a transit shelter.

Background Information: The existing prohibition is being revised to specifically include public pay phones and transit shelters. Additionally, it is clarified that the prohibition applies to any manner of affixation.

Policy Impact Area: Signs and Outdoor Display Structures; Building Code

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-403

Sponsor: Council Member Jones

Date of Introduction: May 11, 2009

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

Date of Analysis: May 14, 2009

Type of Action: Appropriation; Procurement Code exception; emergency approval request

Bill Summary: The bill appropriates \$5,800 from the Council District 9 bond fund for the repair of the Lake Shore Arches, the landmark entryway to the Lakeshore community. The bill invokes a provision in the Procurement Code permitting the City Council to designate Rhodes Stucco as the company to perform the restoration work without the use of a competitive procurement process. The bill requests emergency action in order to begin the repair work on the badly deteriorated structure as quickly as possible.

Background Information: The Lake Shore entryway at Blanding Boulevard, Appleton Street and Bayview Road was designated as a historic landmark by the City Council earlier this year. The entryway was constructed in 1925 in the Mediterranean style at the height of the Florida land boom.

Policy Impact Area: Historic preservation

Fiscal Impact: The bill appropriates \$5,800 in District 9 capital bond funds

Analyst: Clements

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Bill Type and Number: Ordinance 2009-404

Sponsor: Land Use and Zoning Committee

Date of Introduction: May 12, 2009

Committee(s) of Reference: LUZ

Date of Analysis: May 14, 2009

Type of Action: Development Agreement Amendment

Bill Summary: This bill approves a Request for Second Amendment to Development Agreement with Pecan Park Road Investments, LLC, relative to a development known as Pecan Park. The Mayor and Corporation Secretary are authorized to execute the document.

Background Information: The development consists of approximately 115 acres located at Pecan Park Road between I-95 and Tison Road. The requested amendment extends the current expiration date to May 30, 2017, consolidates the development agreement with a fair share contract so that the reserved capacity from each agreement may be combined and used concurrently, converts certain approved uses, and revises the legal description to permit use of the reserved capacity throughout the entire 115 acres of real property subject to the development agreement and fair share contract.

Policy Impact Area: Planning and Development

Fiscal Impact: Undetermined

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-407

Sponsor: Council Member Lee

Date of Introduction: May 11, 2009

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

Date of Analysis: May 14, 2009

Type of Action: Directed conveyance of property; Ordinance Code waiver

Bill Summary: The bill authorizes the conveyance of 0.078 acres of North Shore Park to Gary and Beverly Keys, the adjoining property owners, for the property's appraised value (to be determined). The bill waives the provision of the Ordinance Code that requires that any sale of parkland be accompanied by an acquisition of replacement parkland of a similar size and value in the same general area of the City, and waives the requirement that property be disposed of by the City Real Estate Division via a competitive bidding process.

Background Information:

Policy Impact Area: Property disposition

Fiscal Impact: Undetermined until an appraisal has been done on the subject parcel.

Analyst: Clements

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LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2009-408

Sponsor: Council President at the Request of the Mayor and Council Member Holt

Date of Introduction: May 12, 2009

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

Date of Analysis: May 14, 2009

Type of Action: Declaration of Surplus/Code Waiver

Bill Summary: This bill declares a certain 1998 Ford dump truck and a certain 1998 Ford bus to be surplus to City needs, authorizing transfer to the Town of Baldwin at no cost. Disposition is authorized, and Section 122.812(c), Ordinance Code, is waived to allow such disposition for other than fair market compensation. It is stated that the dump truck is needed by the Town of Baldwin's Public Works Department and that the bus is needed to transport senior citizens to recreational and other activities. The Fleet Management Division is to be designated as the agency to monitor the Town of Baldwin's use of the subject property in accordance with the stated purposes. Disposition is conditioned upon the Town of Baldwin's use of said vehicles for the stated purposes and upon its agreeing to convey either or both vehicles back to the City in the event either or both vehicles are not used for those purposes.

Background Information: Documentation from Fleet Management reflects an average surplus sales value of \$4,500 for the dump truck and \$2,750 for the 21-passenger bus. The bill states that the City has received several vehicles at no cost from the Town of Baldwin.

Policy Impact Area: Fleet Management; Surplus Property; Town of Baldwin

Fiscal Impact: The average surplus sales value of the two vehicles is \$7,250

Analyst: Campbell

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Bill Type and Number: Ordinance 2009-409

Sponsor: Council President at the request of the Mayor

Date of Introduction: May 11, 2009

Committee(s) of Reference: R, F

Date of Analysis: May 14, 2009

Type of Action: Ordinance Code amendment; authorization to execute agreement with third party provider

Bill Summary: The bill amends Ordinance Code Chapter 116 – Employees and Employee Benefits – to create an alternate FICA (Federal Insurance Contributions Act) plan to cover City part-time, temporary and seasonal employees instead of having those employees under the Social Security system as is now the case. The bill authorizes the administration to enter into a contract with a third-party provider to create and maintain the alternate plan.

Background Information: The amendment will allow the City to contract with one of its financial services providers (deferred compensation service provider, defined benefit pension plan provider) to operate a 401(k)-like retirement savings plan for City part-time, temporary and seasonal employees who are currently covered under Social Security but generally do not have enough earnings from City employment to qualify for a recognized quarter of Social Security contribution. This alternate plan will give these employees a personal savings account that will be portable to future employment and retirement savings plans. The City will not make an employer contribution to these accounts, saving the City the current 6.25% of salary paid to Social Security. This alternative savings plan was recommended in the 2008 Florida Tax Watch review of City finances and operations.

Policy Impact Area: Social Security coverage

Fiscal Impact: Undetermined – will save the employer 6.25% of salary contribution for the earnings of this class of employees.

Analyst: Clements

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Bill Type and Number: Resolution 2009-411

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Geoffrey A. Youngblood to the 2009 Charter Revision Commission, as the representative for School Board District #7.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Mr. Youngblood received a bachelor's degree from Conservative Theological University and is employed with *Tools For A Time*. He resides in the Del Rio area within Council District #6 (School Board District #7).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-412

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints T. Edward Austin to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Former Mayor Austin received a bachelor's degree from Duke University and a law degree from the University of Florida. Before his term as Mayor (1991 – 1995), he was elected State Attorney in 1969, but resigned in 1971 to serve as General Counsel for the City of Jacksonville. In 1973, he was appointed State Attorney by the Governor and held that office until his election as Mayor. Mr. Austin has previously served on the Charter Revision Commission, the Jacksonville Port Authority and the Jacksonville Aviation Authority.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-413

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Martha E. Barrett to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Ms. Barrett received a master's degree in education from Xavier University and is the Senior Vice President for Market Development with *Bank of America*. A former School Board Member (2000-2008), Ms. Barrett has served on the Value Adjustment Board. She resides in the Empire Point area within Council District #2.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-414

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints James J. "Jim" Catlett to the 2009 Charter Revision Commission, as the representative for School Board District #2.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Mr. Catlett received a bachelor's degree from the University of Florida and is a Consultant with *Agency Approval & Development, Inc.* He resides in the Golden Glades/The Woods area within Council District #3 (School Board District #2).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-415

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints William "Billy" Catlin, IV to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Mr. Catlin attended the University of Mississippi and is the Vice President of Sales with *Stare Decisis FL, LLC*. He resides in the Fairfax area within Council District #14.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-416

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Wyman R. Duggan to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Mr. Duggan received a law degree from William & Mary Law School and is a Shareholder with *Rogers Towers, P.A.* He resides in the Ortega Forest area within Council District #14.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-417

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Teresa R. Eichner to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Ms. Eichner is a Senior Vice President with *Access Public Relations* and a Jacksonville Youth Sanctuary board member. She resides in the Glynea/Grove Park area within Council District #4.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-418

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Robert L. Flowers, Sr. to the 2009 Charter Revision Commission, as the representative for School Board District #5.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Mr. Flowers received a master's degree from Florida Agricultural and Mechanical University and worked for the *Duval County School Board*. He resides in the Carver Manor area within Council District #10 (School Board District #5).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-419

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Beverly J. Garvin to the 2009 Charter Revision Commission, as the representative for School Board District #1.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Mrs. Garvin is a Vice President for *Watson Realty Corp.* and has previously served on the Charter Revision Commission. She resides in the Holly Oaks area within Council District #1 (School Board District #1).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-420

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints J. Mechelle Herrington to the 2009 Charter Revision Commission, as the representative for School Board District #4.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Ms. Herrington received a law degree from Southern University Law Center and is an Attorney with the *Office of the Public Defender*. She resides in the Ribault area within Council District #8 (School Board District #4).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-421

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Allison B. "Ali" Korman to the 2009 Charter Revision Commission, as the representative for School Board District #3.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Ms. Korman received a bachelor's degree in political science from Florida State University and is the Director of Marketing and Community Relations with *The Stellar Group*. She resides in the Miramer area within Council District #5 (School Board District #3).

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-422

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Jeanne M. Miller to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Ms. Miller received a law degree from Florida State University and is General Counsel for *Florida Community College at Jacksonville*. She was employed with the City of Jacksonville (2002-2006) as an Assistant General Counsel and as the Deputy Director of the JEDC. Ms. Miller has previously served on the Municipal Code Enforcement Board. She resides in the Riverside area within Council District #14.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-423

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Mary M. O'Brien to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Ms. Miller received a bachelor's degree in marketing from James Madison University and is the Chief Marketing Officer for *Advanced Disposal Services, LLC*. She resides in the Ortega area within Council District #14.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-424

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Gary M. Oliveras to the 2009 Charter Revision Commission, as the representative for School Board District #6.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include at least one member who resides within each School Board district.

Officer Oliveras received a master's degree from Liberty University and has been employed with the Jacksonville Sheriff's Office since 1989. He resides within School Board District #6.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-425

Sponsor: Council President Fussell

Date of Introduction: May 12, 2009

Committee(s) of Reference: R

Date of Analysis: May 13, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Curtis M. Thompson to the 2009 Charter Revision Commission, as an At-Large representative.

Background Information: Chapter 17, *Ordinance Code*, provides that the Charter Revision Commission shall be appointed, every ten years during the month of May, in the year prior to the taking of the U.S. decennial census, for an eight-month session. The membership of the Commission, recommended by the Council President and appointed by the Council, shall include up to eight At-Large residents of Duval County.

Mr. Thompson is a graduate of Edwards Water College and retired from Anheuser Busch. He resides in the Edgewood Manor area within Council District #5.

Policy Impact Area: Charter Revision Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh