

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY

JEFFREY R. CLEMENTS
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(904) 630-1377



117 West Duval Street
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Jacksonville, FL 32202
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Bill Type and Number: Ordinance 2009-774

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; PHS

Date of Analysis: October 16, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$125,000 (a \$100,000 continuation grant from the Florida Department of Community Affairs, Residential Construction Mitigation Program and a \$25,000 cash contribution from State Housing Initiative Partnership ("SHIP") and Community Development Block Grant ("CDBG") funds) to the Housing Services Division of the Jacksonville Housing & Neighborhoods Department to provide loans to undertake retrofitting measures to strengthen 6 existing homes of low/moderate-income residents to lessen potential damages from high-wind storms, as initiated by B.T. 09-172; provides a carryover of funds to Fiscal Year 2010-2011; authorizes the Mayor and Corporation Secretary to execute and deliver documents and take further action to implement the purpose of this ordinance.

Background: The 6 homes designated for retrofitting are homes taken from the Housing Services Division's existing list for housing eligible for rehabilitation.

Policy Impact: Housing & Neighborhoods Department/Housing Services Division

Fiscal Impact: This ordinance appropriates \$125,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-775

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 13, 2009

Committee(s) of Reference: F, PHS

Date of Analysis: October 15, 2009

Type of Action: Appropriation

Bill Summary: The bill appropriates \$1,366,157 in group health and life insurance premium costs from a Central Operations Department revenue account to the appropriate expenditure account to account for premium expenditures above budgeted amounts.

Background Information: The bill fact sheet states that the employee health and life insurance plans covered 456 more employees than projected with health and life insurance plans during FY08-09, and collected additional premium revenue from departmental internal service transfers above budget projections. This bill appropriates the additional City premium revenues from the insurance premium revenue account to an expenditure account as part of the FY08-09 budget closeout process to true up the accounts to actual revenue and expenditure levels.

Policy Impact Area: Employee health and life insurance; budget closeout

Fiscal Impact: The bill appropriates \$1,366,157 of insurance premium revenues to the appropriate expense line

Analyst: Clements

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Bill Type and Number: Ordinance 2009-776

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$100,000 from Community Development Block Grant lapsed funds to the Northwest Jacksonville Community Development Corporation to provide a predevelopment grant associated with the Northpointe Commercial Center, to be located at the intersection of Myrtle Avenue and Moncrief Road, as initiated by B.T. 09-180; provides a carryover of funds to Fiscal Year 2010-2011; authorizes the Mayor and Corporation Secretary to execute documents and take further action to implement the purpose of this ordinance.

Background: Northpointe Commercial Center is a proposed commercial development of small businesses that will provide the community with services that do not currently exist. The development site is located in Council District 8.

Policy Impact: Housing and Neighborhoods Department/Community Development Division/CDBG Program

Fiscal Impact: This ordinance appropriates \$100,000

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-777

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: R; F

Date of Analysis: October 16, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$50,581 from the General Fund – Debt Service account – to provide additional funding needed to pay for the storage of records of the Clerk of the Courts, as initiated by B.T. 09-181; Requesting emergency passage.

Background: The additional funding is needed to pay for the Records Storage Contract. Emergency passage is requested because the Clerk of Courts was underfunded and the funds are needed to pay current bills.

Policy Impact: Clerk of the Courts

Fiscal Impact: This ordinance appropriates \$50,581

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-778

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; TEU

Date of Analysis: October 16, 2009

Type of Action: Appropriation; CIP Amendment

Bill Summary: This ordinance appropriates \$1,660,295 by reallocating funds from the Durkeeville West Drainage, 8th Street (Boulevard to Liberty), Lenox Avenue (Lane to Normandy), Moncrief Road (Soutel to US 1) and Collins Road (Rampart to Blanding) projects contained in the Better Jacksonville Plan to the McDuff Avenue (Beaver to Edgewood)/5th Street Roadway Improvements Project so that a change order can be issued for the Bid Alternative work and construction can be completed, as initiated by B.T. 09-182; amends the 2009-2014 Five-Year Capital Improvement Program, approved by Ordinance 2009-513-E, to increase funding for the "McDuff Avenue/5th Street" project and to reduce funding for the "Durkeeville Area West Drainage Rehab", "8th Street/Boulevard to Liberty," "Lenox Avenue – Lane to Normandy", Moncrief Road/Soutel to US 1" and "Collins/Rampart to Blanding" projects.

Background: The purpose of this appropriation is to transfer unneeded funding from the Durkeeville, 8th Street (Boulevard to Liberty), Lenox Avenue (Lane to Normandy), Moncrief Road, and Collins Road (Rampart to Blanding) projects to McDuff (Beaver to Edgewood) project to fund Bid Alternate change order work. Funding is reduced for the former projects to allow for additional funding to complete construction of the latter projects. The funding in the appropriation are monies previously appropriated to projects in the Better Jacksonville Plan. The projects are located in Council Districts 9, 10 & 14, respectively.

Policy Impact: Public Works Department

Fiscal Impact:

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-779

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Appropriation; CIP Amendment; Agreement Approval;

Bill Summary: This ordinance appropriates \$100,000 from the Recreation and Community Services Capital Projects/Other Construction Costs – Community Center Rehabilitation account to the Recreation and Community Services Capital Projects/Other Construction Costs – Lillian Saunders Park Site – Community Center account to provide funding to Family Nurturing Center of Florida, Inc. (“FNC”) for the construction of capital improvements to the Lillian Saunders Community Center (the “center”) at 2759 Bartley Circle, as initiated by B.T. 09-183; provides for a carryover of funds to Fiscal Year 2010-2011; approves and authorizes the Mayor and Corporation Secretary to execute and deliver a License Agreement between the City and FNC stipulating that FNC will assume operation of the center for the purposes of providing structured programming to children and families in the neighborhood and maintaining access to the center by the general public, said agreement being for a term of 10 years with three (3) five (5) year renewal options at \$1.00 per year; approving and authorizing the Mayor and Corporation Secretary to execute and deliver a Funding Assistance Agreement between the City and Family Nurturing Center of Florida, Inc. for funding assistance for the community center; amends the 2009-2014 Five-Year Capital Improvement Program, approved by Ordinance 2009-513-E, to increase funding for the “Lillian Saunders Community Center” project; provides for City oversight by the Department of Recreation and Community Services.

Background: The community center is located in Council District 10. This appropriation provides funding for capital improvements that include: the installation of new windows; new toilets; masonry work; bathroom doors; electrical work to install exit signs; adding exterior lighting in the front and back of the building; electric water coolers; installation of electric wiring for microwaves, heaters, water heaters; furnishing and installing new kitchen sink and faucet; drywall and tile for men and women bathrooms; flooring; painting walls.

Policy Impact: Recreation & Community Services Department

Fiscal Impact: This ordinance appropriates \$100,000 (reallocating funds from one account to another).

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-780

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Appropriation

Bill Summary: This ordinance appropriates \$100,000 (\$50,000 in Historic Preservation grant funds from the State of Florida Department of State and \$50,000 in matching funds from the Reserve for Federal Programs account) to provide funding for the Betz Tiger Point Preserve Survey and Field School Phase II Project, as initiated by B.T. 09-184; provides a carryover of funds to Fiscal Year 2010-2011; authorizes the Mayor to execute and deliver documents and take further action to implement the purpose of this ordinance; provides for City oversight by the Department of Recreation and Community Services.

Background: The Betz Tiger Point Preserve (Pumpkin Hill) was acquired by the City as part of the Preservation Project. This site is located in Council District 11. The scope of the work that this bill funds entails a survey of archaeological sites within the Preserve and the continuation of the excavation of known sites. The excavations are being conducted by a year-long field school. The funds provide for a Research Agreement between the City of Jacksonville to utilize Preservation of North Florida to provide archeological research services to fulfill the requirements of the grant award agreement.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This ordinance appropriates \$100,000, \$50,000 of which is a grant from the State of Florida, coupled with a required \$50,000 City match.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-781

Sponsor: TEU Committee

Date of Introduction: October 13, 2009

Committee(s) of Reference: TEU

Date of Analysis: October 15, 2009

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Racetrac Petroleum for a retail project known as Racetrac – New Kings Road. The fair share assessment is \$185,587 with a 5-year term and a variable inflation rate declining from 5% in year one to 3.3% per year in years six and beyond. Concurrency Review estimated a total of 63 p.m. peak hour trips being generated on links in fair share fund sector 6.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
New Kings Road – Dunn Avenue to I-295	29
Trout River Boulevard – Old Kings Road to New Kings Road	34

Background Information: The project consists of convenience store/gas station on 3.82 acres on the northwest corner of New Kings Road and Trout River Boulevard in Council District 8.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$185,587 to the Sector 6.2 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-782

Sponsor: TEU Committee

Date of Introduction: October 13, 2009

Committee(s) of Reference: TEU

Date of Analysis: October 15, 2009

Type of Action: Approval of fair share agreement

Bill Summary: The bill approves a fair share agreement between the City and Genuine Giants, LLC for a mixed use retail/residential project known as Old Kings Road Mixed Use. The fair share assessment is \$4,837,296 with a 10-year term and a variable inflation rate declining from 5% in year one to 3.3% per year in years six and beyond. Concurrency Review estimated a total of 1,278 p.m. peak hour trips being generated on links in fair share fund sector 6.2 as follows:

<u>Road segment</u>	<u>Peak p.m. hour trips</u>
Dunn Avenue – New Kings Road to VC Johnson Road	112
Old Kings Road – Edgewood Avenue to Plummer Road	420
Old Kings Road – Plummer Road to New Kings Road N.	445
New Kings Road – Dunn Avenue to I-295	277
Plummer Road – Nassau County Line to Old Kings Road	24

Background Information: The project consists of up to 220 single family homes and a shopping center of up to 126,000 square feet on 210.9 acres on Old Kings Road between Plummer Road and Acree Road in Council District 11.

Policy Impact Area: Economic development; concurrency management

Fiscal Impact: The fair share assessment is \$4,837,296 to the Sector 6.2 account.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-783

Sponsor: Council President at the request of the General Counsel

Date of Introduction: October 13, 2009

Committee(s) of Reference: F

Date of Analysis: October 15, 2009

Type of Action: Approval of eminent domain settlement agreement

Bill Summary: The bill approves an eminent domain settlement agreement between the City and Patricia Ann Black, Et Al. in the amount of \$187,974.50 for the acquisition of 3 parcels in connection with the Old Middleburg Road widening project.

Background Information: The settlement amount of \$187,974.50 includes \$125,000 in owner's damages, recoverable costs of \$32,317.50 and statutory attorney's fees of 30,657. The Ordinance Code requires that the City Council approve all legal settlement agreements exceeding \$50,000.

Policy Impact Area: Eminent domain settlement

Fiscal Impact: The bill approves a settlement agreement in the amount of \$187,974.50.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-784

Sponsor: Council President at the request of the General Counsel

Date of Introduction: October 13, 2009

Committee(s) of Reference: F

Date of Analysis: October 15, 2009

Type of Action: Approval of settlement agreement

Bill Summary: The bill approves a settlement agreement between the City and BellSouth Telecommunications d/b/a AT&T Florida to solve claims by both parties against the other relating to two Better Jacksonville Project roadway projects. The City agrees to pay AT&T Florida \$80,000 in settlement of a claim against the City for failure to pay AT&T for expenses incurred by the company in relocating its phone lines underground as part of the Spring Park Road improvement project. AT&T agrees to pay the City \$99,000 in settlement of a lawsuit filed by the City against AT&T seeking \$143,000 in costs for partial redesign of the St. Augustine Road reconstruction project to redesign underground drainage facilities to accommodate an AT&T wiring duct bank. Both sides agree to pay their own attorney's fees and other costs and to release each other from any further liability regarding these claims.

Background Information: In 2005 the City began reconstruction of Spring Park Road as part of the Better Jacksonville Plan and requested BellSouth (AT&T) to relocate its phone lines underground, with the City reimbursing the cost of the relocation. In 2006 the City began reconstruction of St. Augustine Road, part of which project had to be redesigned and construction altered when an AT&T underground duct bank was discovered. The City sued AT&T for payment of the additional costs of the St. Augustine Road project and would not reimburse AT&T for their costs for the Spring Park Road line relocation until the new claim was settled. This agreement settles the claims of both parties.

Policy Impact Area: Legal settlements

Fiscal Impact: The settlement agreement provides that the City will pay AT&T Florida \$80,000 and AT&T Florida will pay the City \$99,000. Both sides agree to absorb their own attorney and other costs.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-785

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 13, 2009

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

Date of Analysis: October 15, 2009

Type of Action: Lease authorization

Bill Summary: The bill approves leases between the City and the Jacksonville Aviation Authority for the use of two aircraft hangars at Craig and Herlong airports. The Craig Airport lease is for a term of 5 years with a two-year extension option at a monthly rent of \$1,913.05. The Herlong Airport lease is for a term of 1 year with 4 automatic 1-year extension options at a monthly rate of \$316.27.

Background Information: The leases are for storage of Mosquito Control aircraft. The Craig Airport lease is for an aircraft storage hangar of approximately 4,555 square feet and approximately 7,226 square feet of aircraft parking apron and approximately 7,743 square feet of vehicle parking. The Herlong Airport lease is for 1,198 square feet, consisting of a T-Hangar for dry storage of the aircraft only. The leases formalize an informal, month-to-month hangar use arrangement between the City and JAA. Funds for the lease costs are included in the Mosquito Control Division's FY09-10 budget.

Policy Impact Area: Mosquito Control operations

Fiscal Impact: The two leases total \$2,229,32 per month or \$26,751,84 annually.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-786

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 13, 2009

Committee(s) of Reference: F, RCD

Date of Analysis: October 15, 2009

Type of Action: Authorization of market operation agreement

Bill Summary: The bill authorizes an agreement between the City and San Marco Preservation Society Inc. for the society to operate an open air market in Balis Park in San Marco on Saturday mornings between 6:30 a.m. and 2:00 p.m. The agreement is for a term of 1 year with three additional 1-year options at a cost of \$1 per year.

Background Information: The agreement provides that the vendors participating in the market shall offer for sale produce, baked goods, handicrafts, art works, seasonal holiday items and the like. The market operator is to provide proof of insurance acceptable to the City's Risk Manager and the operator is required to have the proper licenses and permits. The agreement provides that City-approved events will supersede the Preservation Society's use of the park on 5 Saturdays during the year, and that additional superseding events may be added by the City with 60 days' written notice to the Preservation Society.

Policy Impact Area: Neighborhood improvement; use of public facilities

Fiscal Impact: The City's license fee for use of the park is a token \$1 per year from the San Marco Preservation Society. The City will accrue additional license and permit fees related to operation of the market.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-787

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 113, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Agreement Authorization

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute and deliver a Grant Agreement between and among the City of Jacksonville, the State of Florida Department of Environmental Protection (FDEP) and the Public Trust Environmental Legal Institute of Florida (PTELI) and other documents and take further action to provide for payment of the City's share of grant funding for the Florida Sea Islands Paddling Trail and to effectuate the purposes of this ordinance; provides for City oversight by the Department of Recreation and Community Services.

Background: This ordinance authorizes the City's contribution in funding the Florida Sea Islands Paddling Trail, a network of waterways between the Nassau River and the St. Johns River in northeastern Duval County; the City's contribution of \$5,850, of which \$5,200 is for the procurement of signs and brochures, and \$650 is in-kind services. The Paddling Trail is located in Council District 11.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: This ordinance authorizes an agreement that entails a commitment of the City's future contribution of \$5,850 as the City's share in funding a recreational project.

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-2009-788

Sponsor: Council Member Hyde:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; R

Date of Analysis: October 16, 2009

Type of Action: Public Service Grant Applicant Accommodation

Bill Summary: This ordinance concerns public service grants to Volunteers In Medicine (VIM-JAX, Inc); addresses noncompliance with timely financial reporting requirements, and with separate bank accounts provisions of Section 118.207 (E), *Ordinance Code*; removes Volunteers In Medicine from the non-compliance list; requesting emergency passage.

Background: Located in downtown Jacksonville, on the corner of Duval and Ocean Streets (Council District 4), Volunteers In Medicine-Jax provides free quality healthcare to the working uninsured and is recognized as a viable and working partner in the health care community. VIM-JAX has provided this service for six years. Through an innocent procedural oversight, the organization is at risk of losing its opportunity to continue to apply for public service grants. The public service grant provisions in the *Ordinance Code* require recipients to establish separate bank accounts for public service grant funds. In Fiscal Year 2004-2005 VIM-JAX established a separate bank account, as required; that separate bank account was closed by the financial institution because of a zero balance; in Fiscal Year 2005-2006, VIM received another public service grant but failed to re-establish a separate bank account for those fund, as a result of the bank's policy that required closure of zero balance accounts. As a result of the failure to file a financial report on a timely basis, VIM was placed on the non-compliance list, thus disqualifying VIM from applying for future public service grants until VIM is removed from the non-compliance list. This ordinance acknowledges that VIM is in compliance with the terms and conditions of the public service grants program and directs the Council Auditor to remove Volunteers in Medicine from the non compliance list. Emergency passage is required to enable Volunteers In Medicine to apply for future public service grants.

Policy Impact: Healthcare

Fiscal Impact: None

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-789

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

Date of Introduction: October 13, 2009

Committee(s) of Reference: LUZ

Date of Analysis: October 15, 2009

Type of Action: Designation of historic landmark

Bill Summary: The bill designates the St. Johns Apartments at 311 West Ashley Street (corner of North Julia Street) as a historic landmark structure, directs the Zoning Administrator to enter the designation in the Zoning Atlas and directs the Council Secretary to have the listing entered into the public records. The designation determines that the structure qualifies for historic designation by meeting at least 3 of the 7 designation criteria: its value as a significant reminder of cultural, historical, architectural or archaeological heritage of the City, state or nation; its identification as the work of a master builder, designer, or architect whose individual work has influenced the development of the City, state or nation; and its suitability for preservation.

Background Information: The St. Johns Apartments was built in 1950 in the Art Moderne style. It was the first major high-rise construction project in Jacksonville since the Florida land rush of the 1920s and was designed by the famous architectural firm of Marsh and Saxelby. It was the first high-rise residence in downtown Jacksonville. The 16-story building has 210 residential units and has been continuously occupied since its construction. Exterior renovations and alterations have been minimal, so the building generally retains its 1950 appearance.

Policy Impact Area: Historic landmark designation

Fiscal Impact: None to the City

Analyst: Clements

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Bill Type and Number: Ordinance 2009-790

Sponsor: LUZ Committee

Date of Introduction: October 13, 2009

Committee(s) of Reference: LUZ

Date of Analysis: October 15, 2009

Type of Action: Comprehensive Plan amendment

Bill Summary: The bill amends the text of the 2010 Comprehensive Plan's Capital Improvement Element to attach a revised list of capital improvement projects to be constructed by the City, JTA, JPA, JEA, Duval County Public Schools and FDOT.

NOTE: The Office of General Counsel will request that Council adopt pending Ordinance 2009-791 – adoption of Evaluation and Appraisal Report (EAR)-recommended Comprehensive Plan amendments – prior to the adoption of this bill in order to match the required order of precedence resulting from the transmission of the EAR report to the Florida DCA.

Background Information: The project list includes the City's Traffic Circulation and Mass Transit 5-year plan, the projects in the 2030 Long Range Transportation Plan, and the JEA, JPA and Duval County Public Schools 5-year capital improvement programs.

Policy Impact Area: Comprehensive Plan update

Fiscal Impact: The total project list, while not totaled on the attachment, covers several hundred million dollars of projects over the next 30 years.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-791

Sponsor: LUZ Committee

Date of Introduction: October 13, 2009

Committee(s) of Reference: LUZ

Date of Analysis: October 15, 2009

Type of Action: Adoption of Comprehensive Plan text amendments

Bill Summary: The bill adopts numerous text amendments to the elements of the 2010 Comprehensive Plan as recommended in the City's Comp Plan Evaluation and Appraisal Report (EAR) as reviewed and approved by the Florida Department of Community Affairs. The amendments substantively amend 8 elements (Intergovernmental Coordination, Capital Improvements, Infrastructure, Recreation and Open Space, Future Land Use, Transportation, Conservation/Coastal Management, and Housing) and amend the Historic Preservation and Public School Facilities elements only by changing references from "2010" to "2030".

Background Information: The bill adopts over 250 separate amendments to the Comprehensive Plan. The Planning and Development Department lists the following notable amendments:

- Addition of an objective and policy in the Future Land Use Element (FLUE) committing the City to further revising the FLUE after the final adoption of the three City sector visioning plans currently underway to create a consensus-based vision plan for the City.
- Amending text regarding water supply planning, identifying existing and future water supplies and needs, and coordination with the St. Johns River Water Management District.
- Amending the Coastal High Hazard definitions in the various elements to consistently reflect the definition in accordance with Chapter 163, F.S.
- Adding a new goal, with underlying objectives and policies, addressing preservation and protection of recreational and working waterfronts.
- Revising Conservation/Coastal Management Element Objective 4.1 and underlying policies regarding the protection and preservation of wetlands.

Policy Impact Area: Comprehensive Plan amendments

Fiscal Impact: Undetermined

Analyst: Clements

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Bill Type and Number: Ordinance 2009-804

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Policy Approval

Bill Summary: This ordinance approves a new entrance fee waiver policy for Kathryn Abbey Hanna Park and Huguenot Memorial Park; authorizes the Mayor and Corporation Secretary to take further action to implement the purpose of this ordinance.

Background: The new policy would exempt individuals and groups fulfilling a public purpose or providing a public benefit or service from entrance fees at the parks. Groups would include school groups, in grades K-12, whose trip is part of the school's educational curriculum and not a picnic or recreational outing; home-schooled children whose trip is for educational not recreational purposes; representatives of any federal, state, municipal, county agencies whose entry to the park is for official duties. Fees may not be waived for use of picnic shelters or for entrance to Hanna Park for use of the water park.

Policy Impact: Recreation and Community Services Department

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-805

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: TEU

Date of Analysis: October 16, 2009

Type of Action: Road Closure

Bill Summary: This ordinance closes, abandons, and/or disclaims an unopened and unimproved portion of the Barrs Street Right-of-Way north of the extension of Haldumar Terrace, in Council District 9, established by Plat of Riverside Subdivision, recorded in PB 2, Page 24, of the current Public Records of Duval County, Florida, at the request of John Gorrie Investment Group, LLC, to allow for redevelopment of the former John Gorrie Middle School.

Background: The road closure request has been sent to various government and non-government agencies which might have an interest in this. The applicant proposes a redevelopment project that entails converting the former middle school into condominiums.

Policy Impact: Public Works/Real Estate

Fiscal Impact: The applicant for the road closure has paid a \$1,500 closure application fee.

Analyst: Jackson

CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2009-806

Sponsor: Council President at the request of the Mayor:

Date of Introduction: October 13, 2009

Committee(s) of Reference: TEU

Date of Analysis: October 16, 2009

Type of Action: Conveyance

Bill Summary: This ordinance authorizes the Mayor and Corporation Secretary to execute a City deed conveying fee simple title to Parcels 242 A, B, C, D and E, City of Jacksonville fee simple parcels and corner slips near the newly completed intersection of 103rd Street and Wesconnett Boulevard in Council Districts 10 and 12, from the City of Jacksonville to the State of Florida Department of Transportation.

Background: Construction is now complete on 103rd Street at Wesconnett Boulevard. The plan was to convey these parcels, which had been acquired by the City for the placement of mast arms at the intersection, to FDOT once construction of the intersection was completed since 103rd Street is a state road (CR 134).

Policy Impact: Public Works/Real Estate

Fiscal Impact: Undetermined

Analyst: Jackson

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Bill Type and Number: Resolution 2009-807

Sponsor: Council President at the request of JEA

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms JEA's appointment of Y. Elaine Tisdale as a member of the Civil Service Board, filling the JEA representative slot formerly held by William Cutts, for a first full term ending June 30, 2012.

Background Information: Section 17.02, *Jacksonville Charter*, provides that two of the members of the Civil Service Board shall be appointed by JEA and confirmed by the City Council. Ms. Tisdale received a bachelor's degree in sociology from Hampton University and is the Director of Human Resources and Equity Officer with *Florida State College at Jacksonville*. She has previously served on the Cultural Service Grant Committee. Ms. Tisdale resides in the Woodmere area within Council District #1.

Policy Impact Area: Civil Service Board operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-808

Sponsor: Council President Clark

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Council Member William Bishop as a member of the North Florida Transportation Planning Organization (TPO), replacing Art Graham for an unexpired term ending June 30, 2011.

Background Information: The membership apportionment plan of the TPO provides for the Mayor and three Jacksonville City Council Member representatives on the Board. The Mayor and Council Member representatives each have a weighted vote of 2.

Policy Impact Area: North Florida Transportation Planning Organization operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-813

Sponsor: Council President at the request of the Mayor

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Appointment Confirmation

Bill Summary: This bill confirms the Mayor's appointment of Jerry L. Friley, III as a member of the Jacksonville Historic Preservation Commission, filling the slot formerly held by Brenda Ezell, for an unexpired term ending March 4, 2010, followed by a first full three-year term ending March 4, 2013.

Background Information: Chapter 76, *Ordinance Code*, provides that the members of the Jacksonville Historic Preservation Commission shall be residents of the City of Jacksonville for their entire term and shall be appointed by the Mayor, subject to confirmation by the City Council. Mr. Friley received a bachelor's degree in architecture and a bachelor's degree in interdisciplinary studies, both from Mississippi State University. He resides in the Crystal Springs area within Council District #12.

Policy Impact Area: Jacksonville Historical Preservation Commission operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-814

Sponsor: Council President Clark

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Nicholas C. Howland to the Environmental Protection Board, replacing William Walton as an affected industry representative, for a first full four-year term ending September 30, 2013.

Background Information: Section 73.101, *Ordinance Code*, provides that five of the members of the Environmental Protection Board shall be appointed by the Council in various categories including an affected industry representative. Mr. Howland received a master's degree in business administration from the University of Chicago and is the Director, Corporate Development, Law Enforcement Products Group with *BAE Systems, Inc.* He resides in Council District #3.

Policy Impact Area: Environmental Protection Board operations

Fiscal Impact: Anticipated to be minimal

Analyst: Welsh

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Bill Type and Number: Resolution 2009-815

Sponsor: Council President Clark

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Reappointment Confirmation

Bill Summary: This bill confirms the reappointment of Gregory B. Anderson to the Taxation, Revenue and Utilization of Expenditures (TRUE) Commission, for a second three-year term ending June 30, 2012.

Background Information: Section 57.102, *Ordinance Code*, provides that the members of the TRUE Commission shall be residents of the City and six of the members shall be appointed by the Council President and confirmed by the City Council. Mr. Anderson received a master's degree in liberal studies from Duquesne University and is a Private Banking Manager with *EverBank*. He resides in the Ortega area within Council District #14.

Policy Impact Area: TRUE Commission operations

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Resolution 2009-816

Sponsor: Council Member Gaffney

Date of Introduction: October 13, 2009

Committee(s) of Reference: R

Date of Analysis: October 12, 2009

Type of Action: Appointment

Bill Summary: This bill appoints Mary S. Adams to the Jacksonville-Duval County Council on Elder Affairs, replacing Evelyn Johnson as the representative for Council District 7, for a first full two-year term ending June 30, 2011.

Background Information: Section 82.101, *Ordinance Code*, provides that fourteen of the members of the Council on Elder Affairs shall be appointed by the City Council, with one nominee from each of the District Council Members. Ms. Wawzynski retired from the City of Jacksonville Adult Services Division as a Public Relations Specialist. She resides in the Brentwood area within Council District #7.

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

Fiscal Impact: Anticipated to be minimal.

Analyst: Welsh

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Bill Type and Number: Ordinance 2009-817

Sponsor: Council Members Clark and Webb

Date of Introduction: October 13, 2009

Committee(s) of Reference: F, RCD

Date of Analysis: October 15, 2009

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Chapter 111 – Special Revenue and Trust Accounts – to create a new Section 111.136 – Sports Complex Capital Maintenance Enterprise Fund. The section provides that the fund will receive 2 cents of the 6 cent transient rentals tax (“bed tax”) to be used for the purpose of constructing, extending, enlarging, remodeling, repairing, improving or maintaining the City’s sports complex. The “sports complex” is defined as the Jacksonville Municipal Stadium, Veterans Memorial Arena, and Baseball Grounds of Jacksonville.

Background Information: The 2% bed tax that is being proposed for dedication to this new enterprise fund has previously been used to pay debt service on the bonds issued for construction of the Prime Osborn Convention Center in the early 1980s. Those bonds are now paid off, freeing up the revenue stream to be used for a new purpose. The City constructed and owns the sports complex facilities which are managed and operated by SMG, but no funds are appropriated on a regular basis for maintenance, repairs, improvements or expansions.

Policy Impact Area: Public facility maintenance and improvement

Fiscal Impact: The 2% of the bed tax is budgeted to produce \$4,766,000 in FY09-10.

Analyst: Clements

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Bill Type and Number: Ordinance 2009-818

Sponsor: Council Member Holt:

Date of Introduction: October 13, 2009

Committee(s) of Reference: F; RCD

Date of Analysis: October 16, 2009

Type of Action: Appropriation; Procurement Directive

Bill Summary: This ordinance appropriates \$70,845 from the San Mateo Neighborhood Park project to provide funding for the construction of a batting cage and storage facility measuring 10' by 12' on Tom Marshall Park located at 1471 Elmar Road, Jacksonville, Florida 32218, located in Council District 11; provides for a procurement directive to competitively bid; provides for City oversight by the Recreation and Community Services Department.

Background: Funding left over from the completion of one recreational project in Council District 11 is being shifted and allocated for the construction of another recreational project. The batting cage funded by this appropriation is a split face block building with shingle roof; there are 2 roll-up doors, one into batting cage, one for maintenance equipment access; 1 standard door; 1 overhead light fixture.

Policy Impact: Recreation & Community Services Department

Fiscal Impact: This ordinance appropriates \$70,845

Analyst: Jackson

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Bill Type and Number: Ordinance 2009-819

Sponsor: Council President at the request of the General Counsel

Date of Introduction: October 13, 2009

Committee(s) of Reference: F

Date of Analysis: October 15, 2009

Type of Action: Approval of eminent domain settlement agreement

Bill Summary: The bill approves an eminent domain settlement agreement between the City and Hume Family Holdings, Inc., reached in a court-ordered mediation, in the amount of \$423,274.85 for property acquired by condemnation for use in the Greenland Road widening project.

Background Information: The settlement amount includes \$377,500 in owner's damages, recoverable costs in the amount of \$20,766.85 and attorney's fees of \$25,008. The property in question is 2.225 acre parcel zoned Heavy Industrial on Greenland Road just west of the intersection with Philips Highway. The widening of Greenland road and the City's acquisition of 8,200 square feet of the property substantially impacts access to and use of the parcel which contains several buildings and a parking lot.

Policy Impact Area: Eminent domain settlement

Fiscal Impact: The settlement agreement is in the amount of \$423,274.85.

Analyst: Clements