

1 The Joint Finance/Rules Committee offers its first substitute to
2 file no. 2012-212:

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4 Introduced by the Council President at the request of Mayor and
5 substituted by the Joint Finance/Rules Committee:

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8 **ORDINANCE 2012-212**

9 AN ORDINANCE REPEALING ARTICLE 24 OF THE
10 CHARTER OF THE CITY OF JACKSONVILLE, CHAPTER
11 92-341, LAWS OF FLORIDA, AS AMENDED (THE
12 JACKSONVILLE ECONOMIC DEVELOPMENT COMMISSION);
13 REPEALING CHAPTER 55 (ECONOMIC DEVELOPMENT),
14 *ORDINANCE CODE*; RE-CREATING CHAPTER 55
15 (ECONOMIC DEVELOPMENT), *ORDINANCE CODE*;
16 AMENDING SECTION 500.102 (DEFINITIONS),
17 *ORDINANCE CODE*; AMENDING SECTION 17.06
18 (APPLICABILITY OF CIVIL SERVICE SYSTEM TO
19 EMPLOYEES OF CONSOLIDATED GOVERNMENT) OF
20 ARTICLE 17 (CIVIL SERVICE) OF THE CHARTER OF
21 THE CITY OF JACKSONVILLE TO CORRECT CIVIL
22 SERVICE EXEMPTIONS; APPROPRIATING
23 \$1,286,838.32 TO EFFECTUATE THIS ORDINANCE, AS
24 INITIATED BY B.T. 12-059; PROVIDING FOR
25 TRANSITION; PROVIDING FOR CODIFICATION;
26 AUTHORIZING THE COUNCIL AUDITOR'S AND GENERAL
27 COUNSEL'S OFFICE TO MAKE TECHNICAL AMENDMENTS;
28 PROVIDING FOR LIBERAL CONSTRUCTION; PROVIDING
29 FOR SEVERABILITY; PROVIDING FOR AN
30 ORGANIZATIONAL CHART FOR ECONOMIC DEVELOPMENT;
31 PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, the City of Jacksonville has prioritized partnering
2 with the business community to create high wage jobs and enhance
3 economic growth; and

4 **WHEREAS**, the City of Jacksonville recognizes the importance of
5 an economic development structure that makes our City competitive
6 in attracting new businesses and encouraging current businesses to
7 grow; and

8 **WHEREAS**, the City has determined that it is more accountable,
9 efficient, and business-friendly, to provide an economic
10 development resource within the Office of the Mayor; now therefore

11 **BE IT ORDAINED** by the City Council of Jacksonville:

12 **Section 1. Repealing Article 24 (The Jacksonville**
13 **Economic Development Commission), Jacksonville Charter.** Article 24
14 (The Jacksonville Economic Development Commission), *Jacksonville*
15 *Charter*, is hereby repealed, a copy of which is attached hereto as
16 **Exhibit 1**, and the Article number is reserved.

17 **Section 2. Repealing Chapter 55 (Economic Development),**
18 **Ordinance Code.** Chapter 55 (Economic Development), *Ordinance Code*,
19 is hereby repealed, a copy of which is attached hereto as **Exhibit**
20 **2.**

21 **Section 3. Re-Creating Chapter 55 (Economic Development),**
22 **Ordinance Code.** Chapter 55 (Economic Development), *Ordinance Code*,
23 is hereby re-created to read as follows:

24 **CHAPTER 55. ECONOMIC DEVELOPMENT.**

25 **PART 1. OFFICE OF ECONOMIC DEVELOPMENT.**

26 **Sec. 55.101. Office of Economic Development Established.**

27 There is hereby established the Office of Economic Development
28 ("OED") within the Office of the Mayor (the "Office"). The
29 functions and activities of the Office are set forth in Part 2,
30 Chapter 55, *Ordinance Code*.

1 **Sec. 55.102. Economic Development Officer.** The chief
2 operating officer of the Office of Economic Development shall be
3 the Economic Development Officer (the "Officer"), who shall be
4 appointed by the mayor subject to the confirmation by Council. The
5 Officer shall have a bachelor's degree or higher from an accredited
6 university or college. The officer shall possess at least 10 years
7 professional experience in commercial real estate, deal
8 structuring, fundamental economics, banking or related legal
9 experience and high-level negotiations, which must include at least
10 2 years of economic development and financial analysis. The
11 Officer shall be responsible for managing the affairs of the Office
12 subject to the supervision of, and shall serve at the pleasure of,
13 the mayor. The Officer shall also serve as an administrative aide
14 to the mayor. The Officer will employ the personnel to administer
15 and operate the Office in accordance with applicable law, available
16 appropriations, and employee authorizations. The Officer shall have
17 such other duties and responsibilities as required by the mayor.
18 The Officer's salary shall be set by the mayor.

19 **PART 2. FUNCTIONS AND ACTIVITIES.**

20 **Sec. 55.201. Economic Development.** The functions and
21 activities of the Office of Economic Development shall include, but
22 not be limited to:

23 (a) negotiating economic incentive packages for the City
24 (e.g. Qualified Targeted Industry Refunds, Recapture Enhanced Value
25 Grants, and other incentives as approved by the City Council in the
26 City's Economic Development Investment Policy), and monitoring
27 compliance with the same, which such monitoring compliance duties
28 may be delegated by the Office to an appropriate City department or
29 agency, with approval by the Mayor. Quarterly reports reflecting
30 the status of compliance with incentive requirements shall be
31 provided to City Council and shall be made available on-line;

1 (b) providing staff to the City's Enterprise Zone;

2 (c) providing support to the Council in its role as the
3 governing body acting as the City's community redevelopment agency
4 under Part III, Chapter 163, Florida Statutes for downtown
5 community redevelopment areas;

6 (d) providing support to the Council in its role as the
7 City's industrial development authority under Part III, chapter
8 159, Florida Statutes;

9 (e) managing Cecil Commerce Center;

10 (f) operating the Jacksonville Film and Television Office;

11 (g) managing and operating the Sports Complex and other
12 designated facilities set forth in Part 2, Chapter 55, *Ordinance*
13 *Code*, and the Sports and Entertainment Commission;

14 (h) operating the Equal Business Opportunity Office;

15 (i) operating the Office of Public Parking;

16 (j) operating the Office of Special Events; and

17 (k) operating the Office of Public/Private Partnerships.

18 **Sec. 55.202. Powers; functions and duties of the Economic**
19 **Development Officer Regarding Sports Complex and Other Designated**
20 **Facilities.** The Economic Development Officer (the "Officer") shall
21 have the following powers, functions and duties with respect to the
22 Sports Complex facilities (including but not limited to the
23 Veterans Memorial Arena, the Baseball Grounds of Jacksonville,
24 EverBank Field), the Convention Center, the Times Union Performing
25 Arts Center, and any other facility assigned to the Officer by
26 Council (collectively hereinafter referred to as the "facilities"
27 or the "facility"):

28 (a) The OED shall be responsible for the operation and
29 maintenance of the facilities (whether directly or through a
30 facility manager), and the Mayor, or his or her designee, may
31 execute agreements with sponsors, promoters, exhibitors, performers

1 and other persons for the use of the facility, including agreements
2 with renters of the facility to staff and maintain restroom
3 facilities at the facility through contractual services, volunteers
4 or through a nominal gratuity system, approved by the Officer. A
5 nominal gratuity system would allow the City to include parking
6 and/or meals complimentary to the volunteers, pursuant to a budget
7 previously approved by Council. Except for revenue producing
8 events approved by contract, all other use of the facilities shall
9 be reserved to the City.

10 (b) The OED shall participate in and make recommendations to
11 the Mayor and the Council concerning the planning and financing of
12 city sponsored events at the facilities.

13 (c) The OED shall solicit and generate bids for the direct
14 marketing for city sponsored events to be held at the facilities.

15 (d) The OED shall authorize the expenditure of funds lawfully
16 appropriated by the Council for hospitality expenses in the
17 interest of promoting the facility for city sponsored events and
18 shall comply with expenditures on food, pursuant to §106.1202,
19 Ordinance Code.

20 **Sec. 55.203. Equal Business Opportunity Office.** The Equal
21 Business Opportunity Office is hereby merged into the OED, and the
22 responsibilities set forth below shall be managed by the OED
23 officer. All employees within the EBO office shall become
24 employees within OED, which shall be responsible for deployment and
25 administration of Chapter 126, Part 6, and shall:

26 (a) Process certification applications;

27 (b) Assist the Economic Development Officer in implementing
28 participation JSEB and MBE goals on a project by project basis;

29 (c) Monitor City projects for compliance with the
30 requirements of Chapter 126, *Jacksonville Ordinance Code*;

1 (d) Report on the expenditure of City funds paid to certified
2 companies;

3 (e) Assist in the resolution of disputes between City vendors
4 regarding issues of payment, performance and overall contract
5 compliance;

6 (f) Provide support services to assist certified vendors in
7 their efforts to secure training, bonding and access to capital
8 pursuant to Sections 6A and 6B in Chapter 126; *Jacksonville*
9 *Ordinance Code*, and

10 (g) perform the various duties defined in and/or required by
11 Chapter 126, *Jacksonville Ordinance Code*.

12 **Sec. 55.204. Public Parking.** The Office of Public Parking
13 shall be responsible for all City parking lots and parking garages
14 and for the enforcement of parking laws. To the extent the
15 ordinance code refers to the "Public Parking Officer," for purposes
16 of this ordinance, such terms shall be defined and shall mean the
17 Economic Development Officer or his or her designee. This Office
18 shall further be responsible for the following:

19 (a) Enforce registration, licensing, inspection and safety
20 regulations for taxicabs, limousines, vessels for hire, vehicles
21 for hire, wreckers and school buses;

22 (b) Administer and operate the city's parking facilities and
23 enforce the parking laws, rules and regulations of the City of
24 Jacksonville and of the State of Florida.

25 **Sec. 55.205. Special Events.** The function of the Special
26 Events Office is moved within OED.

27 (a) The OED shall be responsible for the coordination,
28 planning, and implementation of all special events conducted by the
29 City, and implement the provisions of Chapter 191 (Special Events),
30 *Ordinance Code*.

1 (b) The OED no later than 60 days after the last day of an
2 event, shall deliver to the Financial Services Officer (a/k/a the
3 Chief Financial Officer) and the Council Auditor a complete
4 accounting of revenues by source, and expenditures by category and
5 source including, but not limited to, General Fund, Trust Fund, and
6 any other funds.

7 **Sec. 55.206. Office of Public-Private Partnerships.** There
8 is created and established as a function in OED the Office of
9 Public-Private Partnerships. The Public-Private Partnerships
10 office shall advocate and facilitate private sector and non-profit
11 community involvement in the delivery of public services. The
12 Office of Public-Private Partnerships shall be responsible for
13 identification of Public-Private Partnerships opportunities,
14 benchmarking and assessment of opportunities, ensuring the
15 development of a program design, relationship management,
16 identification of funding mechanisms to support the initiatives,
17 and the tracking of value created through public private
18 partnerships.

19 **Sec. 55.207. Advisory Boards.** The OED shall provide support
20 to the following advisory boards (as amended from time to time):

- 21 (a) Sports and Entertainment Advisory Board established by
22 Chapter 96, *Ordinance Code*);
- 23 (b) Mayor's Advisory Commission on Television, Motion Picture
24 and Commercial Production established by Executive Order
25 99-3;
- 26 (c) Enterprise Zone Development Agency Board established by
27 Chapter 501, *Ordinance Code*;
- 28 (d) Industrial Development Bond Review Committee established
29 by Section 104.307 and 104.313, *Ordinance Code*;

1 (e) JIA/CRA (Jacksonville International Airport Community
2 Redevelopment Agency established by Sections 500.102 and
3 500.104, *Ordinance Code*;

4 (f) Southside Community Redevelopment Agency established by
5 s. 500.115, *Ordinance Code*;

6 (g) Downtown Northbank Redevelopment Agency established by s.
7 500.115, *Ordinance Code*;

8 (h) Soutel/Moncrief Redevelopment Agency established by s.
9 500.115, *Ordinance Code*; and

10 (i) Downtown Development Review Board established by s.
11 656.361.1 and 656.361.7, *Ordinance Code*.

12 * * *

13 **Section 4. Amending Section 500.102 (Definitions),**
14 **Ordinance Code.** Section 500.102 (Definitions), *Ordinance Code*, is
15 hereby amended to read as follows:

16 **Chapter 500. COMMUNITY REDEVELOPMENT—POLICIES AND PROCEDURES.**

17 * * *

18 **Sec. 500.102. Definitions.**

19 The following terms, wherever used or referred to herein, have
20 the following meanings:

21 (a) Agency or ~~JEDC or~~ Community Redevelopment Agency or
22 Commission means the City Council. ~~Jacksonville Economic~~
23 ~~Development Commission created and established by article 24 of the~~
24 ~~Charter of the City and designated therein as the sole community~~
25 ~~redevelopment agency of the City.~~

26 **Section 5. Amending Section 17.06 (Applicability of civil**
27 **service system to employees of consolidated government), Charter of**
28 **the City of Jacksonville.** By virtue of Section 17.06(q)
29 (Applicability of civil service system to employees of consolidated
30 government), Article 17 (Civil Service), *Charter of the City of*
31 *Jacksonville*, is hereby amended to read as follows:

1 ARTICLE 17. CIVIL SERVICE

2 * * *

3 Sec. 17.06. Applicability of civil service system to employees
4 of consolidated government. The civil service provisions of this
5 charter shall be applicable to all employees of the consolidated
6 government except:

7 * * *

8 (q) All persons employed by the Office of Economic
9 Development (excepting, however, such persons who were formerly
10 employed by the Jacksonville Economic Development Commission
11 (JEDC), except for those employees of organizations who were
12 transferred into the JEDC on July 1, 1997 as a result of Section
13 24.08 of the Charter, and who elected to retain civil service
14 status).

15 Section 6. Appropriation. For the 2011-2012 fiscal year,
16 within the City's budget, there are hereby appropriated the
17 indicated sum(s) from the account(s) listed in subsection (a) to
18 the account(s) listed in subsection (b):

19 (B.T. 12-059 attached hereto as Revised Exhibit 3, labeled as
20 "Revised Exhibit 3, Amd B.T. 12-059, [date of sub] - Finance/Rules"
21 and incorporated herein by this reference)

22 (a) Appropriated from:

23 See B.T. 12-059 \$1,286,838.32

24 (b) Appropriated to:

25 See B.T. 12-059 \$1,286,838.32

26 Section 7. Purpose. The purpose of the appropriation in
27 Section 6 above is provide for the transfer of funds and budgets
28 resulting from this ordinance.

29 Section 8. Transition. The Mayor or designee is authorized to
30 effect the transition and implementation required by this ordinance
31 through the transfer or other disposition of the records, property,

1 and personnel (those not confirmed by Council) affected by this
2 legislation.

3 **(a) Transfer of Employees and Assets for Accountability**
4 **Purposes from JEDC to OED.** The assets and liabilities, property
5 and personnel of the Jacksonville Economic Development Commission
6 ("JEDC") shall become the responsibility of the Office of Economic
7 Development, as it is intended that the JEDC shall no longer exist.
8 The present employees of JEDC as transferred to the Office of
9 Economic Development as appropriate, shall succeed to their former
10 duties, responsibilities and functions. Any ordinance or law, the
11 provisions of which conflict with the transfer authorized and
12 mandated in this act are repealed to the extent of such conflict

13 **(b) Previously Issued Industrial Revenue Bonds.** As the JEDC
14 was a component of the City, as will be the OED, those assets,
15 liabilities and property of the JEDC as a City entity which exist
16 under Chapter 159, Part III, Florida Statutes have been and remain
17 assets, liabilities, and property of, the City, and to the extent
18 required by any existing financing vehicle, include Industrial
19 Revenue Bonds, the transfer of all assets and revenues related
20 thereto (i) are subject to all of the terms and covenants and the
21 protection of the holders of the bonds issued through the JEDC
22 contained in agreements or resolutions adopted by the JEDC in
23 connection with the issuance of such bonds, (ii) shall not impair
24 the terms of contracts between the City and the bondholders, and
25 (iii) shall not act to the detriment of bondholders, and does not
26 diminish the security for the bonds.

27 **Section 9. Codification.** All references in the *Ordinance Code*
28 to the Jacksonville Economic Development Commission ("JEDC") and
29 the Executive Director of the JEDC shall hereafter be construed to
30 refer to the Office of Economic Development and the Economic
31 Development Officer, respectively.

1 **Section 10. Authorizing the Council Auditor's and General**
2 **Counsel's Office to make "Technical Amendments"**. The Council
3 Auditors and the General Counsel's Offices are authorized to take
4 all necessary action in connection with this legislation, to
5 execute the finalization and codification of the legislation to
6 effectuate the purposes of this Ordinance as recommended by the
7 Council Committees and enacted by Council, without further Council
8 action, provided such changes and amendments are limited to
9 "technical amendments" and do not change the fiscal impact and,
10 further provided, that all such amendments shall be subject to
11 appropriate legal review and approval by the General Counsel, or
12 designee, and all other appropriate official action required by
13 law.

14 **Section 11. Liberal Construction.** The provisions of this act
15 shall be liberally construed to effect its purposes and shall be
16 deemed cumulative, supplemental and alternative for the exercise of
17 the powers provided herein.

18 **Section 12. Severability.** If any section, clause, sentence,
19 or provision of this act or the application of such section,
20 clause, sentence, or provision to any person or bodies or under any
21 circumstances shall be held to be inoperative, invalid, or
22 unconstitutional, the invalidity of such section, clause, sentence,
23 or provision shall not be deemed, held, or taken to affect the
24 validity or constitutionality of any of the remaining parts of this
25 act, or the application of any of the provisions of this act to
26 persons, bodies, or in circumstances other than those as to which
27 it or any part thereof shall have been inoperative, invalid, or
28 unconstitutional, and it is intended that this act shall be
29 construed and applied as if any section, clause, sentence, or
30 provision held inoperative, invalid, or unconstitutional had not
31 been included in this act.

1 **Section 13. Organizational Chart.** For informational
2 purposes only for this legislation, an organizational chart is
3 attached hereto as **Revised Exhibit 4**, labeled as "Revised Exhibit
4 4, Org Chart, [Date of sub] - Finance/Rules".

5 **Section 14. Effective Date.** This ordinance shall become
6 effective upon signature by the Mayor or upon becoming effective
7 without the Mayor's signature.

8
9 Form Approved:

10
11 _____
12 Office of General Counsel

13 Legislation prepared by: Cindy A. Laquidara

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