

1 The Rules Committee offers the following substitute to file no.
2 2013-209:

3
4 Introduced by the Council President at the request of Mayor:
5

6
7 **ORDINANCE 2013-209**

8 AN ORDINANCE REFORMING THE CITY OF
9 JACKSONVILLE GOVERNMENT AND AMENDING VARIOUS
10 PROVISIONS OF THE *ORDINANCE CODE* PURSUANT TO
11 CHAPTER 21 (EXECUTIVE BRANCH, GENERALLY), PART
12 2 (EXECUTIVE REORGANIZATION), *ORDINANCE CODE*;
13 PROVIDING FOR AN EXECUTIVE BRANCH DEPARTMENTAL
14 REORGANIZATION; AMENDING CHAPTER 23 (INTRA-
15 GOVERNMENTAL SERVICES DEPARTMENT), PART 1
16 (GENERAL), *ORDINANCE CODE*, TO INCLUDE GRANTS
17 AND CONTRACT COMPLIANCE, CITY LINK, AND EQUAL
18 BUSINESS OPPORTUNITY OFFICE IN THE OFFICE OF
19 THE DIRECTOR; CREATING NEW PART 6 (OFFICE OF
20 GRANTS AND CONTRACT COMPLIANCE), PART 7 (CITY
21 LINK/630-CITY), PART 8 (OFFICE OF THE
22 OMBUDSMAN), AND PART 9 (EQUAL BUSINESS
23 OPPORTUNITY OFFICE), CHAPTER 23 (INTRA-
24 GOVERNMENTAL SERVICES DEPARTMENT), *ORDINANCE*
25 *CODE*; REPEALING CHAPTER 27 (SPECIAL SERVICES
26 DEPARTMENT), *ORDINANCE CODE*, IN ITS ENTIRETY;
27 CREATING A NEW PART 5 (SOCIAL SERVICES
28 DIVISION), CHAPTER 28 (PARKS, RECREATION AND
29 COMMUNITY SERVICES), *ORDINANCE CODE*; CREATING
30 A NEW PART 6 (SENIOR SERVICES DIVISION),
31 CHAPTER 28 (PARKS, RECREATION AND COMMUNITY

1 SERVICES), *ORDINANCE CODE*; CREATING A NEW PART
2 9 (MILITARY AFFAIRS, VETERANS AND DISABLED
3 SERVICES DIVISION), CHAPTER 28 (PARKS,
4 RECREATING AND COMMUNITY SERVICES), *ORDINANCE*
5 *CODE*; AMENDING CHAPTER 28 (PARKS AND
6 RECREATION), *ORDINANCE CODE*, TO RENAME PARKS
7 AND RECREATION TO PARKS, RECREATION AND
8 COMMUNITY SERVICES AND TO REMOVE GRANT
9 COMPLIANCE; AMENDING PART 4 (WATERFRONT
10 MANAGEMENT AND PROGRAMMING DIVISION), CHAPTER
11 28 (PARKS, RECREATING AND COMMUNITY SERVICES),
12 *ORDINANCE CODE*, TO RENAME THE WATERFRONT
13 MANAGEMENT AND PROGRAMMING DIVISION TO BEACHES
14 AND PRESERVATION DIVISION; CREATING NEW
15 SECTION 32.104 (OPERATIONS DIRECTOR), CHAPTER
16 32 (PUBLIC WORKS DEPARTMENT), *ORDINANCE CODE*;
17 REPEALING CHAPTER 32 (PUBLIC WORKS
18 DEPARTMENT), PART 3 (RIGHT OF AWAY AND GROUNDS
19 MAINTENANCE DIVISION), *ORDINANCE CODE*;
20 CREATING A NEW PART 3 (DIVISION OF
21 INFRASTRUCTURE), CHAPTER 32 (PUBLIC WORKS
22 DEPARTMENT), *ORDINANCE CODE*, CREATING A
23 DIVISION CHIEF OF INFRASTRUCTURE SUBJECT TO
24 COUNCIL CONFIRMATION AND ADDING THE DUTIES OF
25 PUBLIC BUILDINGS, TRAFFIC ENGINEERING AND
26 STREETS AND DRAINAGE TO THIS DIVISION;
27 REPEALING CHAPTER 5 (PUBLIC BUILDINGS
28 DIVISION), CHAPTER 32 (PUBLIC WORKS
29 DEPARTMENT), *ORDINANCE CODE*; AMENDING PART 1
30 (GENERAL), CHAPTER 35 (NEIGHBORHOODS
31 DEPARTMENT), *ORDINANCE CODE*, TO RENAME

1 NEIGHBORHOODS DEPARTMENT TO REGULATORY
2 COMPLIANCE DEPARTMENT; REPEALING PART 7
3 (HOUSING AND COMMUNITY DEVELOPMENT DIVISION),
4 CHAPTER 35 (NEIGHBORHOODS DEPARTMENT),
5 *ORDINANCE CODE*; CREATING A NEW PART 7 (HOUSING
6 AND COMMUNITY DEVELOPMENT DIVISION), CHAPTER
7 30 (PLANNING AND DEVELOPMENT DEPARTMENT),
8 *ORDINANCE CODE*; AMENDING SECTION 30.401
9 (COMMUNITY PLANNING DIVISION; ESTABLISHMENT;
10 RESPONSIBILITIES), PART 4 (COMMUNITY PLANNING
11 DIVISION), CHAPTER 30 (PLANNING AND
12 DEVELOPMENT DEPARTMENT), *ORDINANCE CODE*, TO
13 REMOVE THE TRANSPORTATION RESPONSIBILITIES
14 FROM THE DIVISION; CREATING NEW PART 8
15 (TRANSPORTATION PLANNING DIVISION), CHAPTER 30
16 (PLANNING AND DEVELOPMENT DEPARTMENT),
17 *ORDINANCE CODE*; AMENDING SECTION 55.201
18 (ECONOMIC DEVELOPMENT), CHAPTER 55 (ECONOMIC
19 DEVELOPMENT), *ORDINANCE CODE*, TO REMOVE THE
20 FUNCTION OF THE EQUAL BUSINESS OPPORTUNITY
21 OFFICE; REPEALING SECTION 55.203 (EQUAL
22 BUSINESS OPPORTUNITY OFFICE), CHAPTER 55
23 (ECONOMIC DEVELOPMENT), *ORDINANCE CODE*;
24 PROVIDING FOR AN ORGANIZATIONAL CHART;
25 PROVIDING FOR TRANSITION; PROVIDING FOR
26 CODIFICATION; PROVIDING FOR CODIFICATION
27 INSTRUCTIONS; AUTHORIZING THE COUNCIL
28 AUDITOR'S AND GENERAL COUNSEL'S OFFICE TO MAKE
29 TECHNICAL AMENDMENTS; PROVIDING FOR LIBERAL
30 CONSTRUCTION; PROVIDING FOR SEVERABILITY;
31 PROVIDING AN EFFECTIVE DATE.

1
2 **WHEREAS**, in accordance with section 21.202, *Ordinance Code*,
3 the Mayor has developed a reorganization plan, a copy of which is
4 **attached hereto as Exhibit 1**; now therefore

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

6 **Section 1. Amending Chapter 23 (Intra-Governmental Services**
7 **Department), Part 1 (General) *Ordinance Code*, to include Grants and**
8 **Contract Compliance, City Link/630-City, and management of the**
9 **Equal Business Opportunity office in the office of the Director.**

10 Chapter 23 (Intra-Governmental Services), Part 1 (General),
11 *Ordinance Code*, is hereby amended as follows:

12 **Chapter 23. Intra-Governmental Services Department**

13 **Part 1. General**

14 **Section 23.101. Establishment; functions; Director**

15 * * *

16 The Department is created and shall be responsible for the
17 provision of resources and services essential for the overall
18 management of Consolidated Government operations associated
19 with: (i) general administrative and clerical support; (ii)
20 soliciting, evaluating, procuring, and other functions related
21 to the acquisition of supplies, contractual services,
22 professional services, capital improvements, and other
23 commodities necessary for the proper functioning of
24 government; (iii) provision of all information technologies
25 functions and services; (iv) motor vehicle and related
26 equipment management; (v) grants and contract compliance; (vi)
27 City link also known as 630-City; (vii) Ombudsman and manage
28 the Equal Business Opportunity Office; and~~(v)~~ (viii) such
29 other functions and services as may be assigned by the Mayor
30 or his designee. The Director shall also maintain a liaison
31 relationship with Jacksonville Children's Commission,

1 Jacksonville Human Rights Commission, Jacksonville Public
2 Libraries, Duval County Department of Health and the Medical
3 Examiner's Office.

4 **Section 2. Amending Section 23.102 to define the managers**
5 **of the functions within the office of the Director of Intra-**
6 **Governmental Services.**

7 **Section 23.102. Management of functions within the Office of**
8 **the Director.**

9 The managers of the various functions listed in the previous
10 section shall report to the Director of Intra-Governmental
11 Services.

12 (a) The office of Grants and Contract Compliance shall be
13 managed by the Grants Management Officer.

14 (b) The office of City Link also known as 630-City, shall be
15 managed by the Customer Service Manager.

16 (c) The office of the Ombudsman shall be managed by the
17 Ombudsman.

18 (d) The Equal Business Opportunity Office shall be managed by
19 the JSEB Administrator.

20 * * *

21 **Section 3. Repealing Part 2 (Administrative Services**
22 **Division), Chapter 23 (Intra-Governmental Services Department),**
23 **Ordinance Code.**

24 Part 2 (Administrative Services Division), a copy of which is
25 **attached hereto as Exhibit 2**, Chapter 23 (Intra-Governmental
26 Services Department), *Ordinance Code*, is hereby repealed and
27 reserved in its entirety.

28 **Section 4. Creating a new Part 6 (Office of Grants and**
29 **Contract Compliance), Part 7 (City Link/630-City), Part 8 (Office**
30 **of the Ombudsman), and Part 9 (Equal Business Opportunity Office),**
31 **within Chapter 23 (Intra-Governmental Services), Ordinance Code.**

1 Chapter 23 (Intra-Governmental Services), Part 6 (Office Of
2 Grants and Contract Compliance), Part 7 (City Link/630-City), Part
3 8 (Office Of The Ombudsman), and Part 9 (Equal Business Opportunity
4 Office) are hereby created to read as follows:

5 **Chapter 23. Intra-Governmental Services.**

6 * * *

7 **Part 6. Office of Grants and Contract Compliance**

8 **Section 23.601. Office of Grants and Contract Compliance**
9 **functions.**

10 The Office of Grants and Contract Compliance shall ensure the
11 city receives the broadest utilization of grant resources and
12 manages such resources and relationships. The Office shall be
13 responsible and accountable for appropriate compliance in
14 accordance with funding policy. The office shall:

- 15 (a) direct the operations of the City's external resource
16 development and assistance to include but not limited to
17 grant assistance, public/private partnerships, and
18 community organization/agencies;
- 19 (b) direct resource development strategies including but not
20 limited to recommendations concerning identification of
21 external grant resources, private sector partners, in-kind
22 resources to include equipment, services, and staff;
- 23 (c) direct and/or provides oversight of research and
24 evaluation in collaboration with appropriate agency
25 representatives to determine needs and assess feasibility
26 of new program ideas and proposals as they relate to
27 possible external funding and resources;
- 28 (d) direct, advise, and consult, with all appropriate staff
29 and partners regarding grant application specifications
30 such as program descriptions, work plans, timelines;
- 31 (e) administer budget computations, statistical analysis, and

- 1 program/budget narratives for completion of applications;
2 (f) administer and oversee grant writing initiatives, program
3 monitoring, and assure communication with both internal and
4 external program administrators throughout the life of any
5 resource award;
6 (g) ensure agency compliance with regulatory standards
7 concerning resources development opportunities including
8 compliance with federal, state, and local laws, rules,
9 fiscal requirements, agency policies, programmatic
10 guidelines and appropriate contracts/agreements;
11 (h) oversee training of city wide staff engaged in grant
12 writing, administration, and compliance which includes
13 informal training, cross training, and formal training such
14 as conducting grant writing workshops;
15 (i) staff the Public Service Grants Council and forward any
16 recommendations from the Council to the Office of the
17 Mayor.

18 **Part 7. Office of City Link/ 630-City**

19 Section 23.701. City Link/630-City Office functions

20 City Link also known as 630-City, shall serve as the City of
21 Jacksonville's customer service center. 630-City shall serve
22 as a liaison with the Office of Public Accountability in
23 facilitating the prompt disposition of public records
24 requests.

25 The office shall also have the following duties:

- 26
27 (a) manage the forecasting of call volume, staffing levels,
28 customer service training and shall make regular reports
29 to the Office of the Mayor and City Council as necessary
30 for the improvement of City customer service;
31 (b) coordinate with City departments/agencies to ensure

1 accurate distribution of information to customers;

2 (c) coordinate with the Emergency Command Operations as
3 needed to ensure accurate distribution of information to
4 City departments/agencies and customers;

5 (d) develop and implement marketing plans to increase public
6 awareness of City programs and services.

7 **Part 8. Office of the Ombudsman**

8 Section 23.801. Office of the Ombudsman functions

9 The Office of the Ombudsman shall act as a trusted
10 intermediary to promote contractual fairness, neutrality, and
11 administrative accountability and transparency through impartial
12 investigations and mediation of complaints. The office shall offer
13 assistance in the resolution of problems associated with post award
14 contractual compliance issues, including but not limited to issues
15 of payment and performance. The office shall have the following
16 additional duties:

17 (a) manage multifaceted complex contract disputes involving
18 contractors, subcontractors, and vendors;

19 (b) analyze complaints, manages cases and determines
20 recommendations;

21 (c) confer with disputants to clarify issues, identify
22 underlying concerns and develop an understanding of their
23 respective need and interests;

24 (d) utilize mediation techniques to facilitate communication
25 between disputants, to further parties' understanding of
26 different perspectives and to guide parties toward mutual
27 agreement;

28 (e) work with the Office of General Counsel to prepare
29 settlement agreements or prepare for court proceedings;

30 (f) work with the Procurement Division to ensure that
31 procurement processes and systems are followed;

- 1 (g) research, investigate complaints, write recommendations
2 and reports for monitored contracts;
- 3 (h) compose, review and revise policies and procedures with
4 regard to the office activities;
- 5 (i) review and investigate previously reported issues via
6 CARE that have not been resolved or the citizen is not
7 satisfied.
- 8 (j) partner with using agencies to assist in resolving
9 contractual disputes;
- 10 i. assist the Equal Business Opportunity Office in
11 the resolution of disputes between City vendors
12 regarding issues of payment, performance and
13 overall contract compliance.

14 **Part 9. Equal Business Opportunity Office**

15 Section 23.801. Equal Business Opportunity Office functions.

16 The Equal Business Opportunity Office is hereby a function in
17 the Office of the Director of Intra-Governmental Services, and
18 the responsibilities set forth below shall be managed by the
19 JSEB Administrator. All employees within the EBO office shall
20 be responsible for deployment and administration of Chapter
21 126, Part 6, and shall:

- 22 (a) Process certification applications;
- 23 (b) Assist the Director of Intra-Governmental Services
24 in implementing participation JSEB goals on a
25 project by project basis;
- 26 (c) Monitor City projects for compliance with the
27 requirements of Chapter 126, Jacksonville Ordinance
28 Code;
- 29 (d) Report on the expenditure of City funds paid to
30 certified companies;
- 31 (e) Assist in the resolution of disputes between City

1 vendors regarding issues of payment, performance and
2 overall contract compliance;

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

7 (g) Perform the various duties defined in and/or
8 required by Chapter 126, Jacksonville Ordinance
9 Code.

10 **Section 5. Repealing Chapter 27 (Special Services**
11 **Department), Ordinance Code, in its entirety.**

12 **Chapter 27 (Special Services Department), Ordinance Code, a**
13 **copy of which is attached hereto as Exhibit 3, is hereby repealed**
14 **and reserved in its entirety. For purposes of this section, Part**
15 **2(Behavioral and Human Services Division) is moving to Chapter 35**
16 **(Neighborhoods Department), Part 6 (Behavioral and Human Services**
17 **Division), Ordinance Code, and Part 3 (Senior Services Division;**
18 **establishment; functions) is moving to Chapter 35 (Neighborhoods**
19 **Department), Part 8 (Senior Services Division; establishment;**
20 **functions).**

21 **Section 6. Creating new Part 5 (Social Services**
22 **Division), Chapter 28 (Parks, Recreation and Community Services),**
23 **Ordinance Code.**

24 A new Part 5 (Social Services Division), Chapter 28 (Parks,
25 Recreation and Community Services), Ordinance Code, is hereby
26 created to read as follows:

27 **Chapter 28. Parks, Recreation and Community Services**

28 * * *

29 **Part 5. Social Services Division**

30 **Sec. 28.501. Social Services Division.**

31 **The Social Services Division is created and it shall be**

1 responsible for the administration and operation of the welfare
2 activities, and for administration of the mental health (including
3 substance abuse and mental illness) activities of the City for all
4 populations including victims, and person(s) with a disability or
5 disabilities. The Division shall have a liaison relationship with
6 the Military, Veterans and Disabled Services Department.

7 **Sec. 28.502. Division Chief.**

8 The Chief of Social Services shall be the Division Chief of
9 the Social Services Division. The Chief shall be appointed by the
10 Mayor, subject to confirmation by the Council, and shall serve at
11 the pleasure of the Mayor. The Chief shall have a bachelor's degree
12 or higher from an accredited college or university in sociology,
13 psychology or a related field and have at least five years of
14 administrative experience in at least one of the areas of
15 responsibility.

16 **Section 7. Creating new Part 6 (Senior Services**
17 **Division), Chapter 28 (Parks, Recreation and Community Services),**
18 **Ordinance Code.**

19 A new Part 6 (Senior Services Division), Chapter 28(Parks,
20 Recreation and Community Services), *Ordinance Code*, is hereby
21 created to read as follows:

22 **Chapter 28. Parks, Recreation and Community Services**

23 * * *

24 **Part 6. Senior Services Division**

25 **Sec. 28.601. Senior Services Division; establishment;**
26 **functions.**

27 There is created a Senior Services Division. The Division
28 shall be responsible for administration and operation of community-
29 wide social service programs relating to the adult population,
30 especially senior citizens. The Senior Services Division shall
31 concentrate on enhancement of existing services and development of

1 new services. The Division shall have a liaison relationship with
2 the Recreation and Community Programming Division within the Parks
3 and Recreation Department, and shall be responsible for the
4 operations and programming of the senior centers.

5 **Sec. 28.602. Division Chief.**

6 The Chief of Senior Services is the Division Chief of the
7 Senior Services Division. The Chief shall be appointed by the
8 Mayor, subject to confirmation by the Council, and shall serve at
9 the pleasure of the Mayor. The Chief shall have a bachelor's degree
10 or higher in an accredited college or university in psychology,
11 sociology or a related field and at least five years of experience
12 in the social services or related field.

13 **Section 8. Creating new Part 9 (Military Affairs,**
14 **Veterans and Disabled Services Division), Chapter 28 (Parks,**
15 **Recreation and Community Services), Ordinance Code.**

16 A new Part 9 (Military Affairs, Veterans and Disabled Services
17 Division), Chapter 28 (Parks, Recreation and Community Services),
18 Ordinance Code, is hereby created to read as follows:

19 **Chapter 28. Parks, Recreation and Community Services**

20 * * *

21 **Part 9. Military Affairs, Veterans and Disabled Services Division**

22 **Sec. 28.901. - Military Affairs, Veterans and Disabled Services**

23 **Division.**

24 The Military Affairs, Veterans and Disabled Services Division
25 is created and shall be responsible for:

- 26 (a) Military Affairs and Veterans Services. Performing
27 services related to military affairs and veterans for the
28 City of Jacksonville. While each function has distinct
29 responsibilities, combining the oversight under one
30 Division is designed to help Jacksonville achieve its
31 goalie become the finest host city for the military in

1 the nation.

2 This Division will work closely with the leadership of
3 the Department of Defense facilities in Northeast Florida
4 to enhance the partnership which exists between the
5 citizens of Jacksonville and those persons serving in the
6 armed forces. This Division will also encourage and
7 support the expansion and growth of military missions
8 conducted from local military bases; sponsor events which
9 recognize and dignify the patriotic service of those in
10 uniform; serve as a liaison to civic groups working to
11 support military members; serve as the City
12 representative on Chamber of Commerce task forces
13 involved in military matters; work closely with federal
14 and state elected officials on issues involving the
15 military community; and seek federal and state grants
16 which improve the infrastructure surrounding the military
17 bases.

18 The Division will also have the responsibility to provide
19 uncompromised service to veterans and their dependents.
20 Veterans in Jacksonville will receive timely and
21 competent assistance in filing appropriate claims,
22 receiving social services, and applying for vocational
23 training and employment opportunities. The Division will
24 work closely with veterans organizations created to
25 support the needs of those who have served in the armed
26 forces, promote the general welfare of these veterans,
27 and apprise the community of their needs and talents. The
28 Division will conduct public ceremonies which highlight
29 the dedicated service, courage and commitment of
30 veterans, and seek federal and state grants which fund
31 additional social services for veterans in Jacksonville.

1 (b) Disabled Services. This division shall also be
2 responsible for increasing community awareness concerning
3 the accomplishments and needs of disabled individuals,
4 monitoring all federal and state legislation that relates
5 to disability rights and issues and advising the Mayor
6 and his or her staff about necessary City compliance. The
7 Division will suggest and implement ordinances that
8 favorably impact one's equal access and opportunity while
9 changing any City policies that may adversely impact the
10 same.

11 **Sec. 28.902. - Division Chief.**

12 The Chief of Military Affairs, Veterans and Disabled Services
13 shall be the Division Chief of the Military Affairs, Veterans and
14 Disabled Services Division. The Chief shall be appointed by the
15 Mayor, subject to confirmation by the Council, and shall serve at
16 the pleasure of the Mayor. The Chief shall have a bachelor's degree
17 or higher from an accredited college or university and have at
18 least five years of administrative experience in at least one of
19 the areas of responsibility.

20 **Section 9. Amending Chapter 28 (Parks and Recreation),**
21 **Ordinance Code, to rename Parks and Recreation to Parks, Recreation**
22 **and Community Services, and to remove the function of Grants**
23 **Administration from the Parks description of duties.**

24 Chapter 28 (Parks and Recreation), Part 1 (General), *Ordinance*
25 *Code*, is hereby amended as follows:

26 **Chapter 28. ~~Parks and Recreation~~ Parks, Recreation and**
27 **Community Services**

28 **Part 1. General**

29 **Sec. 28.101. Establishment; functions.**

30 There is created an executive department to be known as the
31 Parks and Recreation Parks, Recreation and Community Services

1 Department. The Department shall be responsible for the delivery
2 of recreation services, human and social services to the City
3 through the divisional responsibilities including but not limited
4 to the administration and operation of community-wide recreation
5 and social programs and shall concentrate on the enhancement of
6 existing services and the development of new services through:

7 (a) Administering and operating recreation, community and
8 senior centers, preserves, and park areas/facilities
9 including but not limited to marinas and waterfront
10 facilities and public swimming pools under the control of
11 the Department.

12 (b) Planning, promoting, organizing, administering all
13 community (recreation & senior) centers, preserves,
14 waterfront, and parks, the Consolidated Government's
15 recreation facilities and all other recreation areas and
16 programs of the Consolidated Government.

17 (c) Identifying and coordinating improvements and development
18 of community (senior & recreation) centers, preserves,
19 waterfront, and park areas/facilities under the control
20 of the Department.

21 (d) Developing and/or adopting rules and fees for the
22 management, operation, use and control of all community
23 (recreation & senior) centers, the preserves, waterfront,
24 and park areas/facilities of the city.

25 (e) Delivery of human and social services to the City
26 including but not limited to mental health and welfare
27 services to seniors and victims.

28 The Department shall include the following Divisions:
29 Recreation and Community Programming, Senior Services, Social
30 Services and Waterfront Management and Programming Beaches and
31 Preservation. Other functions and activities include the County

1 Extension Office (including the Canning Kitchen), ~~Grant Compliance,~~
2 ~~and the Ritz Theatre and LaVilla Museum.~~ A liaison relationship is
3 established with the "Special Events" function and activities
4 within the Office of Economic Development (d/b/a Economic
5 Development Board).

6 **Section 28.102. Director.**

7 The Director of ~~Parks and Recreation~~ Parks, Recreation and
8 Community Services is the head of the Department. The Director
9 shall be appointed by the Mayor, subject to confirmation by the
10 Council, and shall serve at the pleasure of the Mayor. The Director
11 shall have a bachelor's degree or higher from an accredited college
12 or university in recreation management, sociology, psychology,
13 public/business administration, management or similar field and at
14 least five years of progressively responsible experience in a
15 management or executive position. Certification within field of
16 expertise is preferred.

17 **Section 28.103. Powers; functions and duties of Director.**

18 The Director of ~~Parks and Recreation~~ Parks, Recreation and
19 Community Services shall have the following powers, functions and
20 duties, and shall have a liaison relationship with the Executive
21 Director (a/k/a the Economic Development Officer) at the Office of
22 Economic Development (d/b/a Economic Development Board) to
23 effectuate such powers as needed:

- 24 (a) The Director, or designee, shall be responsible for the
25 operation and maintenance of the parks and preserves,
26 community (senior & recreation) recreations~~centers~~, and
27 waterfront facilities (including Metropolitan Park, the
28 area formerly known as "Kids Kampus", the marina at
29 Metropolitan Park, Equestrian Center, Cecil Community
30 Center and Teye' Brown Regional Park), but excluding the
31 Convention Center, Veterans Memorial Arena, Baseball

1 Grounds of Jacksonville, EverBank Field, Times Union
2 Performing Arts Center), senior centers, and any other
3 facility or venue specifically assigned to the Economic
4 Development Board. The Director, or designee, may execute
5 agreements with sponsors, promoters, exhibitors,
6 performers and other persons for the use of the facility,
7 including agreements with renters of the facility to
8 staff and maintain restroom facilities at the facility
9 through contractual services, volunteers or through a
10 nominal gratuity system approved by the Director.

11 * * *

12 **Section 28.301. Recreation and Community Programming Division;**
13 **establishment; functions.**

14 There is created a Recreation and Community Programming
15 Division. The Division shall be responsible for administration and
16 operation of community-wide recreation and social service programs
17 for all populations and shall have a liaison relationship with the
18 Senior Services Division ~~within the Special Services Department.~~
19 The Division shall concentrate on the enhancement of existing
20 services and development of new services.

21 (a) The Division shall be responsible for the administration,
22 maintenance and operation of all community (recreation &
23 senior) centers, parks, tennis facilities, organized
24 athletics and swimming pools.

25 (b) The Division shall be responsible for administration and
26 operation of the lifeguard program for swimming pools and
27 waterparks, ~~oceanfront parks, and Kids Kampus.~~

28 (c) The Division shall be responsible for planning,
29 organizing and implementing programs at entertainment and
30 park areas/facilities under the control of the Department
31 including but not limited to after school programs, and

1 camps.

2 (d) The Division shall provide a liaison to any boards,
3 commissions, committees, or task force related to
4 Recreation and Senior Services.

5 (e) The Division shall be responsible for permitting of parks
6 and facilities for private events by the public.

7 **Section 28.302. Division Chief.**

8 The Chief of Recreation and Community Programming is the
9 Division Chief of the Recreation and Community Programming
10 Division. The Chief shall be appointed by the Mayor, subject to
11 confirmation by the Council, and shall serve at the pleasure of the
12 Mayor. The Chief shall have bachelor's degree or higher from an
13 accredited college or university in the recreation field and at
14 least five years of progressive management experience in the
15 recreation field and be a Certified Park & Recreation Professional
16 or Certified Park & Recreation Executive.

17 * * *

18 **Section 28.305. Limitations upon Powers.**

19 * * *

20 (c) The Division Chief shall submit each agreement negotiated
21 pursuant to this part to the Director of ~~Parks and~~
22 ~~Recreation~~ Parks, Recreation and Community Services, who
23 shall review the same and either:

24 (1) Disapprove it and return it to the Division Chief
25 for renegotiation; or

26 (2) Approve it and execute it on behalf of the city.

27 (d) The Division Chief shall not negotiate any agreement that
28 will interfere with or impair any concession agreement
29 made by the city.

30 * * *

31 **Section 28.307. Appeals to Director of ~~Parks and Recreation~~**

1 **Parks, Recreation and Community Services.**

2 A rule made by the Division Chief may be appealed to the
3 Director of ~~Parks and Recreation~~ Parks, Recreation and Community
4 Services by a person aggrieved or affected thereby. The Director
5 shall hold a public hearing, at which the parties shall have the
6 right to be present in person, to be represented by counsel and to
7 present evidence. The hearing shall be conducted by the Director or
8 by a hearing officer designated by the Office of General Counsel,
9 at the discretion of the Director. The decision of the Director
10 shall be final. The appeal procedure specified in this Section
11 shall not apply during the course of a tournament, event or
12 contest; in these cases, the procedure specified in this part shall
13 apply.

14 **Section 10. Amending Part 4 (Waterfront Management and**
15 **Programming Division), Chapter 28 (Parks, Recreation and Community**
16 **Services), Ordinance Code, to rename Waterfront Management and**
17 **Programming Division to Beaches and Preservation Division.**

18 Chapter 28 (Parks, Recreation and Community Services), Part 4
19 (Waterfront Management and Programming Division), *Ordinance Code*,
20 is hereby amended as follows:

21 **Chapter 28. ~~Parks and Recreation~~ Parks, Recreation and**
22 **Community Services**

23 * * *

24 **Part 4. ~~Waterfront Management and Programming Division~~ Beaches**
25 **and Preservation Division**

26 **Sec. 28.401. ~~Waterfront Management and Programming~~ Beaches and**
27 **Preservation Division establishment; functions.**

28 There is created a ~~Waterfront Management and Programming~~
29 Beaches and Preservation Division. The Division shall be
30 responsible for administration and operation of community-wide
31 preservation lands and waterfront parks and facilities.

1 (a) The Division shall be responsible for operation of
2 waterfront parks and facilities, including but not
3 limited to City Marinas.

4 (b) The Division shall be responsible for property
5 acquisition to assist in protecting environmentally
6 sensitive and/or culturally significant lands.

7 (c) The Division shall be responsible for the resource
8 management of preservation properties and waterfront
9 parks/facilities including but not limited to fire
10 management, silviculture, hydrological and landscape
11 restoration and management, and ecosystem
12 restoration and management.

13 (d) The Division shall be responsible for the
14 preservation, enhancement, and interpretation of
15 preservation preserves and parks.

16 (e) The Division shall be responsible for planning,
17 organizing, and implementing environmental education
18 programs.

19 (f) The Division shall provide a liaison to any boards,
20 commissions, committees, or task forces related to
21 waterfront management and conservation programming.

22 **Sec. 28.402. Division Chief.**

23 The Chief of ~~Waterfront Management and Programming~~ Beaches and
24 Preservation is the Division Chief of the ~~Waterfront Management and~~
25 ~~Programming~~ Beaches and Preservation Division. The Chief shall be
26 appointed by the Mayor, subject to confirmation by the Council, and
27 shall serve at the pleasure of the Mayor. The Chief shall have a
28 bachelor's degree or higher from an accredited college or
29 university and at least five years of management or executive
30 experience in natural resource recreation.

31 * * *

1 **Section 11. Creating a new Section 32.104 (Operations**
2 **Director), Chapter 32 (Public Works Department), Ordinance Code.**

3 A new Section 32.104 (Operations Director), Chapter 32 (Public
4 Works Department), *Ordinance Code*, is hereby created to read as
5 follows:

6 **Chapter 32. Public Works Department**

7 * * *

8 **Part 1. In General**

9 **Sec. 32.104. Operations Director.**

10 There is hereby established one position of Operations
11 Director within the Department of Public Works. This position shall
12 be appointed by the Mayor, subject to confirmation by the Council,
13 and shall serve at the pleasure of the Mayor. The Operations
14 Director shall be registered by the State of Florida as a
15 Professional Engineer and have at least five (5) years of
16 management or executive experience. The Operations Director shall
17 report to the director and shall be responsible for such
18 management, duties and responsibilities as are assigned by the
19 director.

20 * * *

21 **Section 12. Repealing Part 3 (Right of Way Grounds**
22 **Maintenance Division), Chapter 32 (Public Works Department),**
23 **Ordinance Code.**

24 Sections 32.301, and 32.302, *Ordinance Code*, a copy of which
25 is **attached hereto as Exhibit 4** and comprising the entirety of Part
26 3 (Right Of Way Grounds Maintenance Division), Chapter 32 (Public
27 Works Department), *Ordinance Code*, are hereby repealed. For
28 purposes of this section, Chapter 32, Part 3 is being incorporated
29 into the new Chapter 32 (Public Works Department), Part 3 (Division
30 of Infrastructure), *Ordinance Code*.

31 **Section 13. Creating a new Part 3 (Division of**

1 **Infrastructure), Chapter 32 (Public Works Department), Ordinance**
2 **Code.**

3 A new Part 3 (Division of Infrastructure), Chapter 32 (Public
4 Works Department), *Ordinance Code*, is hereby created to read as
5 follows:

6 **Chapter 32. Public Works**

7 * * *

8 **Part 3. Division of Infrastructure**

9 **Sec. 32.301. Division of Infrastructure; establishment;**
10 **functions.**

11 There is created an Infrastructure Division. The Division
12 shall be responsible for general maintenance of all public
13 buildings including the responsibility for all security, custodial
14 and maintenance employees as well as maintenance of parks,
15 buildings and centers, lighting and other electrical elements.
16 planning, building and maintaining the streets, highways and
17 drainage facilities; traffic signals and other traffic-control
18 devices, including railroad crossing signals. The division shall
19 also be responsible for coordinating the efforts of various
20 government agencies concerned with streets and highways in Duval
21 County.

22 **Sec. 32.302. Division Chief of Infrastructure**

23 There shall be a division chief of Infrastructure who shall be
24 appointed by the Mayor and confirmed by the Council. The Division
25 Chief shall have a four-year degree in engineering, construction,
26 or construction management, be a registered professional engineer
27 with a license in the State of Florida, and a minimum of 5 years
28 experience in managing buildings or working in the fields of
29 building management, traffic engineering, or roadway and drainage
30 design and maintenance.

31 **Section 14. Repealing Part 5 (Public Buildings Division),**

1 **Chapter 32 (Public Works Department), Ordinance Code.**

2 Sections 32.501, and 32.502, *Ordinance Code*, a copy of which
3 is **attached hereto as Exhibit 5** and comprising the entirety of Part
4 5 (Public Buildings Division), Chapter 32 (Public Works
5 Department), *Ordinance Code*, are hereby repealed. For purposes of
6 this section, Chapter 32, Part 5 is being incorporated into the new
7 Chapter 32 (Public Works Department), Part 3 (Division of
8 Infrastructure), *Ordinance Code*.

9 **Section 15. Amending Part 1 (General), Chapter 35**
10 **(Neighborhoods Department), Ordinance Code, to rename Neighborhoods**
11 **Department to Regulatory Compliance Department.**

12 Chapter 35 (Neighborhoods Department), Part 1 (General),
13 *Ordinance Code*, is hereby amended as follows:

14 **Chapter 35. ~~Neighborhoods Department~~ Regulatory Compliance**

15 **Department**

16 **Part 1. General**

17 **Section 35.101. Establishment; Director.**

18 (a) There is created an executive department to be known as
19 the ~~Neighborhoods Department~~ Regulatory Compliance
20 Department. The Department shall be responsible for:

- 21 (1) Administration, operation and enforcement of
22 environmental, air and water resources management
23 activities of the City;
- 24 (2) Administration and operation of Animal Care and
25 Protective Services;
- 26 (3) Administration and operation of the Mosquito Control
27 activities of the Consolidated Government;
- 28 (4) Administration and operation of municipal code
29 compliance activities;
- 30 ~~(5) Administration, operation, and implementation of~~
31 ~~affordable housing and community development~~

1 ~~activities; and~~

2 ~~(6)~~(5) Having a liaison relationship with the
3 Jacksonville Public Library.

4 (b) The Director ~~of Neighborhoods~~ shall be the head of the
5 Department. The Director shall be appointed by the Mayor,
6 subject to confirmation by the Council, and shall serve
7 at the pleasure of the Mayor. The Director shall have a
8 bachelor's degree or higher in an accredited college or
9 university and at least five years of management
10 experience in environmental regulation, affordable
11 housing or community development, or in government. The
12 Director shall be responsible for the regulation and
13 enforcement of environmental, air and water quality
14 matters, the operation of the Mosquito Control,
15 Environmental Quality, Animal Care and Protective
16 Services, ~~Housing and Community Development~~, the
17 Municipal Code Compliance Divisions, and have a liaison
18 relationship with the Jacksonville Public Library.

19 **Section 16. Repealing Part 7 (Housing and Community**
20 **Development Division), Chapter 35 (Neighborhoods Department),**
21 **Ordinance Code.**

22 Sections 35.701, 35.702, 35.703, 35.704, and 35.705, *Ordinance*
23 *Code*, a copy of which is **attached hereto as Exhibit 6** and
24 comprising the entirety of Part 7 (Housing and Community
25 Development Division), Chapter 35 (Neighborhoods Department),
26 *Ordinance Code*, are hereby repealed. For purposes of this section,
27 Chapter 35, Part 7 is being incorporated into the new Chapter 30
28 (Planning and Development Department), Part 7 (Housing and
29 Community Development Division), *Ordinance Code*.

30 **Section 17. Creating a new Part 7 (Housing and Community**
31 **Development Department), Chapter 30 (Planning and Development**

1 Department), *Ordinance Code*.

2 A new Part 7 (Housing and Community Development Department),
3 Chapter 30 (Planning and Development Department), *Ordinance Code*,
4 is hereby created to read as follows:

5 Chapter 30. Planning and Development Department

6 * * *

7 Part 7. Housing and Community Development Department

8 Sec. 30.701 Establishment; functions.

9 There is hereby created a division within the executive branch
10 of the City to be known as the Housing and Community Development
11 Division. The Division shall be responsible for:

12 (a) Housing services, including but not limited to:

13 (1) Affordable Housing Coordinator. The Affordable
14 Housing Coordinator shall have a bachelor's degree
15 from an accredited institution and at least five
16 years' experience in housing development. The
17 Affordable Housing Coordinator shall:

18 i. Serve as a central resource of information
19 regarding all processes required to bring an
20 affordable or workforce housing development to
21 completion; and

22 ii. Proactively assist developers of affordable
23 and workforce housing developments with the
24 different processes required to bring an
25 affordable or workforce housing development to
26 completion; and

27 iii. Communicate with other City Departments to
28 ensure that affordable and workforce housing
29 developments are not delayed within processes
30 managed by other City Departments; and

31 iv. Where appropriate, act as a liaison between

1 developers of affordable and workforce housing
2 developments and all permitting agencies to
3 expedite the permitting processes; and

4 v. Provide other necessary support to ensure that
5 affordable and workforce housing developments
6 are completed to meet the housing needs of the
7 citizens of Jacksonville.

8 (2) administration and operation of affordable housing
9 program(s) to preserve and enhance the supply of
10 affordable housing within Duval County. With the
11 exception of those matters that are the
12 responsibility of the Jacksonville Housing
13 Authority, the Housing and Community Development
14 Division is hereby designated as the City agency for
15 housing initiatives and all matters relating to
16 affordable housing,

17 (b) Community development (including Community Development
18 Block Grant funds, town center initiatives, and the
19 administration of the Northwest Quadrant Economic
20 Development Fund); including but not limited to:

21 (1) To serve as a liaison to the Office of Economic
22 Development (d/b/a Economic Development Board).

23 (2) To provide a program for the relocation of displaced
24 persons.

25 (3) To effectively provide for the rehabilitation,
26 conservation and redevelopment of slums and blighted
27 areas in the city.

28 (4) To prevent the growth and recurrence of slums and
29 blighted areas in the city.

30 (c) All other matters related thereto, including but not
31 limited to the planning, development, supervision, and

1 implementation of programs and projects funded by State
2 of Florida funds (including but not limited State Housing
3 Initiatives Partnership funds), and funded by Housing and
4 Urban Development funds (including but not limited to
5 Emergency Shelter Grant funds, Housing Opportunities for
6 Persons with Aids funds, HOME Investment Partnership
7 Program funds, Community Development Block Grant funds,
8 and Neighborhood Stabilization Program funds). It is the
9 intent of Council that the funding and utilization of
10 these program funds should be consistent with past
11 practices and subject to applicable law.

12 (d) The Division shall also serve as the liaison for the
13 Jacksonville Human Rights Commission (with respect to
14 housing matters only).

15 (e) Effective October 1, 2011, and applicable to Town Center
16 projects whose design and construction have been approved
17 by the City and completed by July 1, 2011, and whose
18 maintenance has not been provided for by a signed
19 maintenance agreement, the City of Jacksonville, through
20 its appropriate department, shall be responsible for the
21 continued landscape and hardscape maintenance of such
22 Town Center projects, the cost of which may be
23 supplemented or offset with such private assistance as
24 may be secured.

25 **Sec. 30.702. Chief of the Housing and Community Development**
26 **Division.**

27 There shall be a Chief of the Housing and Community
28 Development Division. The Chief shall:

29 (a) Have a bachelor's degree or higher from an accredited
30 college or university and at least five years of
31 experience in affordable housing or in community

1 planning, and have proven administrative experience;

2 (b) Be appointed by the Mayor, subject to confirmation by the
3 Council, and shall serve at the pleasure of the Mayor;
4 and

5 (c) Manage all operations of the Housing and Community
6 Development Division.

7 **Sec. 30.703. Jacksonville Housing and Community Development**
8 **Commission; Commission Members.**

9 (a) There is hereby established a Commission to be known as
10 the "Jacksonville Housing and Community Development
11 Commission," which shall be comprised of 11 members, all
12 of whom shall be residents of Duval County. It is hereby
13 determined that all persons serving on the Jacksonville
14 Housing and Community Development Commission prior to the
15 effective date of this chapter have continued in their
16 offices notwithstanding this ordinance code transfer. Six
17 members shall be appointed by the Mayor and confirmed by
18 Council, and five members shall be appointed by the
19 Council. Pursuant to the requirements of section
20 420.9076, Florida Statutes (as amended from time to time)
21 the Commission shall be deemed the "advisory committee"
22 as required by state law. The Commission membership shall
23 consist of the following persons (each of whom is
24 actively engaged in her/her respective activity): (1)
25 residential home building industry in connection with
26 affordable housing; (2) banking or mortgage banking
27 industry in connection with affordable housing; (3) areas
28 of labor in home building in connection with affordable
29 housing; (4) advocacy for low-income persons in
30 connection with affordable housing; (5) for-profit
31 provider of affordable housing; (6) not-for-profit

1 provider of affordable housing; and (7) real estate
2 professional in connection with affordable housing. With
3 respect to the foregoing specific requirement in any of
4 the above seven activities of an affordable housing
5 connection, if a finding is made regarding the presence
6 of a conflict of interest or other reasonable factor that
7 would result in an appointment not otherwise being made,
8 then a member may nonetheless be appointed in that
9 activity without the specific requirement of the
10 affordable housing connection. The Commission shall also
11 consist of the following additional persons: (1) a
12 representative also actively serving on the local
13 planning agency pursuant to section 163.3174, Florida
14 Statute, and if the local planning agency is comprised of
15 the governing board of the municipality, then the
16 appointment of a person knowledgeable in the local
17 planning process; (2) a representative of employers in
18 Duval County; and (3) a representative of essential
19 services personnel (as defined in the Local Housing
20 Assistance Plan as adopted from time to time). The only
21 statutory qualification for the last Commission member is
22 residency in Duval County. Each member shall serve a term
23 of four years; provided, however the initial appointments
24 shall be as follows: four (4) members shall serve terms
25 of four (4) years each, four (4) members shall serve
26 terms of three (3) years each, and three (3) members
27 shall serve terms of two (2) years each. Thereafter, all
28 members appointed to the Commission shall serve terms of
29 four (4) years. Commencing with the effective date of
30 this chapter, no member may serve for more than two
31 consecutive terms. Members shall serve for the term of

1 their respective offices until they are reappointed and
2 confirmed, or until their qualified successors have been
3 appointed and confirmed, or such member resigns,
4 whichever occurs first. The Mayor shall appoint the
5 Chairman from the eleven member board, for a term of two
6 years of the Commission, and the Commission members shall
7 elect the remaining officers.

8 (b) A quorum for the Commission shall consist of a simple
9 majority of appointed members.

10 (c) The Chairman may create such committees as he deems
11 necessary.

12 (d) The Commission, acting as the advisory committee, shall
13 conduct any required public hearings, undertake the
14 review, take any and all required actions for compliance,
15 and make recommendations to the Council for adoption (and
16 authorize the transmittal) as required by section
17 420.9076, Florida Statutes.

18 (e) The Commission shall conduct any required public
19 hearings, undertake the review, take any and all required
20 actions for compliance, and recommend to the Council for
21 adoption (and authorize the transmittal) a "Consolidated
22 Plan" as required by 24 CFR Part 91

23 **Sec. 30.704. Jacksonville Housing Finance Authority.**

24 The Council finds, pursuant to F.S. § 159.604, that there is a
25 need for a housing finance authority, as there is a need to
26 alleviate a shortage of housing and capital investment for the
27 people of Duval County. Accordingly, there is hereby created within
28 the Housing and Community Development Division a separate board to
29 be known as the Jacksonville Housing Finance Authority ("JHFA").
30 The JHFA is authorized to function throughout all of the
31 territorial limits of the City. The JHFA shall operate with all the

1 powers and authority of a housing finance authority, and shall
2 ensure compliance with the provisions of F.S. § 159.601, et seq.
3 The JHFA shall preserve outstanding debt, issue new debt and shall
4 shield the City from financial liability. The JHFA shall be
5 comprised of five board members, three of whom shall be members
6 appointed by the Mayor and confirmed by Council, and two of whom
7 shall be appointed by Council. It is hereby determined that all
8 persons serving on the Jacksonville Housing Financing Authority
9 prior to the effective date of this chapter have continued in their
10 offices notwithstanding this ordinance code transfer. Each member
11 shall serve a term of four years; provided, however that to provide
12 for staggered terms, of the members first appointed, two (2)
13 members shall serve terms of four (4) years each, two (2) members
14 shall serve terms of three (3) years each, and one (1) member shall
15 serve a term of two (2) years. Thereafter, all members appointed to
16 the Commission shall serve terms of four (4) years. Commencing with
17 the effective date of this chapter, no member may serve for more
18 than two consecutive terms, and members shall serve for the term of
19 their respective offices until they are reappointed and confirmed,
20 or until their qualified successors have been appointed and
21 confirmed, or such member resigns, whichever occurs first. It is
22 the intent that the existence of the JHFA as a legal entity
23 continues without lapse, termination or interruption as the JHFA
24 existed prior to the enactment of this chapter. A quorum for the
25 JHFA shall consist of three members present. The Mayor shall
26 appoint the Chairman of the JHFA from the five member board, for a
27 term of two years, and the JHFA members shall elect the remaining
28 officers. The Mayor is authorized to take all necessary actions in
29 structuring this five-member board to ensure compliance with state
30 law. At least three of the five members shall represent one of the
31 following organizations: labor, finance or commerce.

1 Sec. 30.705. Execution of instruments.

2 Except as may otherwise be specifically set forth in Section
3 111.620, Ordinance Code, all instruments in writing to be signed by
4 the Housing and Community Development Division shall be executed by
5 the Mayor or his designee.

6 Section 18. Amending Section 30.401 (Community Planning
7 Division; Establishment; Responsibilities), Part 4 (Community
8 Planning Division), Chapter 30 (Planning and Development
9 Department), Ordinance Code, to remove the transportation
10 responsibilities from the Division.

11 Section 30.401 (Community Planning Division; Establishment;
12 Responsibilities), Part 4 (Community Planning Division, Chapter 30
13 (Planning and Development Department), Ordinance Code, is hereby
14 amended to read as follows:

15 Chapter 30. Planning and Development Department

16 * * *

17 Part 4. Community Planning Division

18 Sec. 30.401. Community Planning Division; Establishment;
19 Responsibilities.

20 There is established within the Department a Community
21 Planning Division, which shall be responsible for:

22 (a) Preparation, evaluation and review of the
23 comprehensive plan for the City, including the
24 required five-year Evaluation and Appraisal Report
25 (EAR), and amendments and modifications thereto, as
26 required by Chapter 650

27 (b) Preparation, maintenance and updating of short and
28 long-range plans relating to land use, community
29 facilities, utilities and environmental systems and
30 for compiling and updating socioeconomic data used
31 by the Department;

- 1 (c) Capital Improvement and facilities planning;
- 2 (d) Land use regulation matters, including environmental
- 3 and historic preservation matters related to land
- 4 use;
- 5 (e) Preparing historic studies, designations, tax
- 6 abatement requests, certificates of appropriateness;
- 7 (f) Providing staff support to the Historic Preservation
- 8 Commission;
- 9 (g) Parks Planning;
- 10 (h) Reviewing and monitoring all Developments of
- 11 Regional Impact;
- 12 (i) Preparation and implementation, as required, of
- 13 special planning studies including but not limited
- 14 to Neighborhood Action Plans, District Plans,
- 15 Special Study Areas, etc.;
- 16 ~~(j) Preparation, review and updating of all short and~~
- 17 ~~long term transportation plans for all modes,~~
- 18 ~~including congestion management plans;~~
- 19 ~~(k) Traffic and transit testing for concurrency and~~
- 20 ~~proportionate fair share assessments;~~
- 21 ~~(l) Coordination and review with Public Works of all~~
- 22 ~~Proportionate Fair Share Capital Improvement~~
- 23 ~~Projects;~~
- 24 ~~(m) Preparation of all transportation monitoring reports~~
- 25 ~~(i.e. F.S. Ch. 163, Agreements for proportionate~~
- 26 ~~fair share, development agreements, etc.);~~
- 27 ~~(n)~~ (j) Review of site plans for transportation
- 28 issues;
- 29 ~~(o)~~ (k) Review of access management issues;
- 30 ~~(p) Review of Developments of Regional Impact, Regional~~
- 31 ~~Activity Centers and all rezonings for~~

~~transportation impacts;~~

- ~~(g)~~ (l) Preparation and/or participation in planning studies such as corridor studies, district plans, and neighborhood action plans;
- ~~(r)~~ (m) Coordination with the First Coast MPO in all its activities; and
- ~~(s)~~ (n) Any other activities as may be assigned by the Director.

Section 19. Creating a new Part 8 (Transportation Planning Division), Chapter 30 (Planning and Development Department), Ordinance Code.

A new Part 8 (Transportation Planning Division), Chapter 30 (Planning and Development Department), *Ordinance Code*, is hereby created to read as follows:

Chapter 30. Planning and Development Department

* * *

Part 8. Transportation Planning Division

Sec. 30.801. Establishment; responsibilities.

There is established within the Department a Transportation Planning Division, which shall be responsible for:

- (a) Preparation, review and updating of all short and long term transportation plans for all modes, including congestion management plans;
- (b) Traffic and transit testing for concurrency and proportionate fair share assessments;
- (c) Coordination and review with Public Works of all Proportionate Fair Share Capital Improvement Projects;
- (d) Preparation of all transportation monitoring reports (i.e. F.S. Ch. 163, Agreements for proportionate fair share, development agreements, etc.);

- 1 (e) Review of Developments of Regional Impact, Regional
2 Activity Centers and all rezonings for
3 transportation impacts;
4 (f) Bicycle and Pedestrian Coordinator;
5 (g) Coordinating with FDOT and TPO on transportation
6 issues;
7 (h) Coordinating with JTA on Mass Transit issues;
8 (i) Developing CIP on transportation projects; and
9 (j) Other duties as assigned by the director.

10 **Sec. 30.802. Division Chief.**

11 The Division Chief of the Transportation Planning Division
12 shall be the Chief, Transportation Planning Division. The
13 Transportation Planning Chief shall have a college degree in urban
14 planning or urban design or related field and at least 10 years'
15 experience in urban design and management experience, or at least
16 five years of experience with a master's degree in any of the
17 listed fields, or commensurate training and experience, and shall
18 have proven administrative experience. The Chief shall be appointed
19 by the Mayor and confirmed by the Council and shall serve at the
20 pleasure of the Mayor.

21 **Section 20. Amending Section 55.201 (Economic**
22 **Development), Part 2 (Functions and Activities), Chapter 55**
23 **(Economic Development), Ordinance Code, to remove the function of**
24 **the Equal Business Opportunity Office.**

25 Section 55.201 (Economic Development), Part 2 (Functions and
26 Activities), Chapter 55 (Economic Development), *Ordinance Code*, is
27 hereby amended to read as follows:

28 **Chapter 55. Economic Development**

29 * * *

30 **Part 2. Functions and Activities**

31 **Section 55.201. Economic Development.**

1 The functions and activities of the Office of Economic
2 Development shall include, but not be limited to:

3 * * *

4 (h) Operating the ~~Equal Business Opportunity Office~~ access to
5 capital program as defined in Section 126.602;

6 (i) Operating the Office of Public Parking;

7 (j) Operating the Office of Special Events; and

8 (k) Operating the Office of Public/Private Partnerships

9 * * *

10 **Section 21. Repealing Section 55.203 (Equal Business**
11 **Opportunity Office), Part 2 (Functions and activities), Chapter 55**
12 **(Economic Development), Ordinance Code.**

13 Section 55.203, Ordinance Code a copy of which is **attached**
14 **hereto as Exhibit 7**, Part 2 (Functions and activities), Chapter 55
15 (Economic Development), *Ordinance Code*, is hereby repealed and
16 reserved. For purposes of this section, Section 55.203 is moving to
17 the new Chapter 23 (Intra-Governmental Services Department), Part 9
18 (Equal Business Opportunity Office), *Ordinance Code*.

19 **Section 22. Amending Chapter 126 (Procurement Code), Part**
20 **6A (Small Business Capital, Bonding, and Outreach Program)**
21 **Ordinance Code.** Chapter 126 (Procurement Code), Part 6A (Small
22 Business Capital, Bonding, and Outreach Program), *Ordinance Code*,
23 is hereby amended as follows:

24 **Chapter 126. Procurement Code**

25 * * *

26 **Part 6A. Small Business Capital, Bonding, and Outreach Program**

27 * * *

28 **Sec. 126.602. Access to capital.**

29 (a) The City shall create a pool of resources, in conjunction
30 with lending institutions" to assist ~~MBEs and~~ JSEBs with
31 obtaining access to capital (the "AC Program"). ~~JEDCO or a~~

1 ~~similar~~ A private entity approved by the lending institutions
2 shall manage the distribution of said funds, in accordance
3 with guidelines adopted by the lenders and approved by the
4 City in order to ensure proper administration and monitoring
5 and to ensure continuity for the program.

6 (1) The City's Office of the Director of Economic
7 Development (OED) and the Office of the Ombudsman, set
8 forth in section 126.619, shall work ~~closely with the~~
9 ~~existing business specialist and other key Ch.A.S.E.~~
10 ~~members or similar private entity~~ to ensure that
11 certified JSEBs are receiving recommended assistance.

12 (2) The Office of the Ombudsman, ~~working with the Small~~
13 ~~Business Center at Gateway ("SBCG") and the First Coast~~
14 ~~African American Chamber of Commerce ("FCAACC") or~~
15 ~~similar private entities~~ shall gather information on all
16 available programs for access to capital, including but
17 not limited to local bank liaisons and programs, SBA
18 programs, ~~BBIC, JEDCO, OED~~ and any other program which
19 assists small and or minority businesses to obtain
20 capital.

21 (3) The OED Director shall provide biannual reports to the
22 Mayor, with a copy to City Council Auditor Committee,
23 identifying the size and number of businesses assisted in
24 the two preceding quarters. Said reports shall include
25 the nature of the service or product provided; the
26 program ~~(whether JSEB, MBE, or Majority)~~; the nature of
27 the contracts awarded and the dollar value of each
28 contract awarded).

29 (4) The OED Director ~~and Ombudsman~~, working with the
30 SBCG and the FCAACC shall also hold biannual open houses
31 or workshops to showcase available assets and obtain

1 information from JSEBs and ~~MBEs~~ on available programs.

2 (b) ~~The Ombudsman~~ OED Director or his designee shall staff
3 a series of meetings initiated by the Mayor between the
4 City and any Financial Institutions with offices in
5 Jacksonville who wish to participate in the creation of
6 JSEBs banking managers who will assist JSEBs in obtaining
7 credit. ~~The Ombudsman may be directed or staff, as may be~~
8 ~~required, to support applications for various City,~~
9 ~~state, or federally funded programs including New Market~~
10 ~~Tax Credits.~~

11 **Sec. 126.603. Continuing education and mentoring programs**

12 (a) The City shall engage ~~FCCJ~~ the Florida State College at
13 Jacksonville (FSCJ) and Edward Waters College and other
14 educational institutions to advise and implement continuing
15 education, training and mentoring programs, including but not
16 limited to training on doing business with the City,
17 subcontracting documentation requirements, accounting for the
18 small business, and related matters for construction related
19 contractors and subcontractors, including technology, bidding,
20 and bonding, and project management. The UNF Small Business
21 Development Center ("UNF/SBDC") and the SBCG shall provide
22 non-construction related small emerging businesses with
23 continuing education and training and mentoring programs,
24 including key management issues such as cash-flow management,
25 business planning, marketing, accounting, and record keeping,
26 human resources management, and other related business
27 development education. ~~FCCJ~~ FSCJ and Edward Waters College
28 shall hold an initial summit, to inventory existing programs,
29 which provide continuing education, apprentice or mentoring
30 programs and to hear from the community and experts on what
31 further programs or educational assistance may be needed.

1 Thereafter, ~~FCCJ~~ FSCJ and Edward Waters College shall hold a
2 small business program workshop, to design and suggest the
3 requisite needs, including the formation of a scholarship
4 program for assistance to JSEBs. Funds appropriated for these
5 activities are inclusive of scholarships.

6 (b) ~~FCCJ~~, FSCJ, Edward Waters College, and UNF/SBDC, ~~SBCG~~ and
7 ~~the FCAACC~~ shall report their findings back to the Mayor
8 within 180 days from the effective date of this ordinance ~~FCCJ~~
9 FSCJ and Edward Waters College shall engage such private firms
10 as may be necessary to provide such training.

11 **Section 23. Repeal Section 126.604 and renumber each Section**
12 **thereafter.**

13 ~~Sec. 126.604. Accounting Grant Program for Certified JSEBs and~~
14 ~~MBEs.~~

15 ~~The City shall establish an Accounting Grant Program which~~
16 ~~shall either (1) provide for up to one \$500 reimbursement in~~
17 ~~matching funds for each certified JSEB and MBE, to procure~~
18 ~~accounting services from a Certified Public Accountant, which~~
19 ~~will include the provision of a book value for the business;~~
20 ~~or (2) provide all but \$25 of a fee charged by the UNF/SBDC~~
21 ~~program for a Fiscal Physical, which will include the~~
22 ~~provision of a book value for the business.~~

23 ~~(Ord. 2004-602-E, § 4)~~

24 **Sec. 126.605 604. Semi-monthly payments to certified JSEBs.**

25 The City shall pay certified JSEBs semi-monthly, upon proper
26 payment application to the applicable City Department. City
27 Departments are to perform all necessary inspections and
28 otherwise endeavor to ensure that prompt review and as
29 applicable approval of certified JSEB work is completed within
30 four days of receipt of invoice. The City shall pay all
31 approved invoices from certified JSEBs within three business

1 days of receipt by the Finance Department. City Departments
2 shall provide monthly statements to the Director identifying
3 the timing of JSEB payments for contracts within their
4 departments. These statements are to be organized and provided
5 to the Mayor, with a copy to the City's Chief ~~Operating~~
6 Administrative Officer (~~"COO"~~) CAO, quarterly by the Director.
7 Prime contractors shall be obligated to pay subcontractors
8 within three days of receipt from the City of funds, and must
9 confirm payment to the City. Subcontractors will be notified
10 by the City when a payment application from a prime contractor
11 has been submitted reflecting work performed by a
12 subcontractor.

13 * * *

14 **Sec. 126.~~606~~ 605. Insurance program review.**

15 The Risk Manager for the City shall prepare a report on
16 available insurance programs for Florida small businesses, and
17 make recommendations regarding methods or programs to assist
18 certified JSEBs in obtaining requisite insurance. Said report
19 shall be provided to the ~~Mayor~~ Director of the Intra-
20 Governmental Services Department, with a copy to ~~Council~~ the
21 JSEB Administrator, on or before January 15, ~~2005~~ 2014 and
22 thereafter shall be prepared and submitted biannually, with a
23 copy being sent to JSEBs.

24 **Sec. 126.~~607~~606. Collecting data to evaluate the Program.**

25 ~~(a) The City shall issue an RFP within 60 days of the~~
26 ~~effective date of this ordinance to engage a consultant to~~
27 ~~develop and use measures to quantify and categorize the~~
28 ~~contracts being awarded to all contractors and consultants,~~
29 ~~including JSEBs. Said consultant shall submit the format for~~
30 ~~its work to the Mayor, with a copy to the COO, Director and~~
31 ~~the Council within 60 days of the award of the RFP.~~

1 ~~(b) Thereafter the consultant shall prepare quarterly reports~~
2 ~~in the format filed as described in Section (a) above and~~
3 ~~shall include data on prime contractors and subcontractors~~
4 ~~bidding on and awarded City projects, including at a minimum~~
5 ~~without limitation: the race, gender, or nationality of the~~
6 ~~contractor or consultant, along with the scope of services,~~
7 ~~SOIC code, size of contracts awarded in the categories used by~~
8 ~~Fla. Stat. Section 287.017 and 255.0525. The Director shall~~
9 ~~report on a quarterly and an annual basis to the Mayor and the~~
10 ~~Council on the number and value of contracts awarded, by~~
11 ~~category or work, contract size, characteristic of company~~
12 ~~(i.e., African American, Hispanic, Native American, Asian,~~
13 ~~Women, and Majority) and whether certified or not.~~

14 ~~(e)~~ (a) There is established a JSEB Monitoring Committee, to
15 review the status of the goals of this Program, including the
16 number and dollar value of contracts awarded, the training,
17 capital, and bonding programs, and difficulties or
18 accomplishments of the Program, along with a comparison of the
19 achievements under the Program compared with the goals. This
20 Committee shall meet with the Director quarterly, who shall
21 generate a report for the Mayor with a copy to the ~~COO~~ CAO and
22 the Council ~~within~~ no later than 14 days ~~of~~ after each
23 quarterly meeting. The Mayor shall appoint three members of
24 the Committee, and the City Council shall appoint two members.
25 The Committee shall be comprised of two non-JSEB contractors,
26 one appointed by each of the Mayor and the Council, two JSEB
27 contractors, one appointed by each of the Mayor and the
28 Council, and one private citizen for three-year staggered
29 terms. The Mayor shall appoint a Chair and the Chair shall
30 serve until such a time as another Chair shall be appointed by
31 the Mayor. The Mayor and Council shall strive to reflect the

1 diversity of Duval County in its appointments; each of the
2 five members shall be confirmed by Council. The JSEB Committee
3 shall be governed by Chapter 50 (Boards and Commissions).

4 **Section 24. Amending Chapter 126 (Procurement Code), Part**
5 **6B (Jacksonville Small Emerging Business Program) Ordinance Code**

6 Chapter 126 (Procurement Code), Part 6B (Jacksonville Small
7 Emerging Business Program), *Ordinance Code*, is hereby amended as
8 follows:

9 **Chapter 126. Procurement Code**

10 * * *

11 **PART 6B. JACKSONVILLE SMALL EMERGING BUSINESS PROGRAM**

12 Sec. ~~126.608~~607. [Percentage of work to be accomplished by
13 JSEBs.]

14 ~~(a) The City shall identify at least 20 percent of its work in~~
15 ~~its CIP program during the annual budget submission which~~
16 ~~shall be accomplished with JSEBs, using set-asides, prime~~
17 ~~contracting opportunities and subcontracting goals. The City,~~
18 through each Department head shall commit in its budget to
19 award at least 20 percent of its contracts for services, and
20 non-construction contracts to JSEBs, provided, however, that
21 such awards shall comply with local, state, and federal law
22 and that there exist certified JSEBs to perform the work.

23 (b) In implementing the Program, the Director of Intra-
24 Governmental Services shall first provide opportunities for
25 direct or prime contracting. Such opportunities should be
26 created by breaking procurement packages into smaller
27 components, and separating work that requires licenses from
28 that which does not in separate bid or proposal requests where
29 feasible.

30 * * *

31 **Sec. ~~126.609~~608. Jacksonville Small Emerging Businesses**

1 **defined.**

2 * * *

3 (b) Certifications granted after July 1, 2004 are valid for
4 one year; provided however, that a certification, once
5 granted, can be extended for up to four one-year terms upon
6 the submission of an affidavit, under penalty of perjury,
7 confirming the continued accuracy of the original
8 certification, or identifying changes thereto; and provided
9 further however that the JSEBs must submit the above affidavit
10 no sooner than 60 days before certification expires, in the
11 form created by the Procurement ~~Department~~ Division. Deceptive
12 or fraudulent affidavits will result in the owner being barred
13 from the program for three years, subject to the appeals
14 process set forth in Section 126.623, below; and provided,
15 further, that to remain or become certified after July 1,
16 2005, the JSEB must ~~have participated in either the accounting~~
17 ~~grant program or the Fiscal Physical~~ or provide audited
18 financial statements by a Certified Public Accountant and one
19 or more training, education, or mentoring programs during each
20 12-month period and provide evidence of such to the ~~Director~~
21 JSEB Administrator. For the initial certification, such
22 evidence may be provided in arrears, but must be provided on
23 or before the submission of the second year certification
24 affidavit.

25 (c) To be certified as a JSEB, an individual owner must meet
26 the following criteria:

27 * * *

28 (2) Have a personal net worth less than \$605,000, excluding
29 personal residence, including but not limited to business
30 value and assets (measured as book value), ownership in other
31 businesses and all other assets personally owned, held in

1 trust for the individual owner's benefit, or held by a spouse;
2 provided, however, that, notwithstanding personal net worth,
3 certification hereunder shall require that annual gross
4 receipts, averaged over the immediately preceding three-year
5 period, not exceed \$6,000,000. This annual gross receipts
6 threshold amount shall be subject to annual analysis by the
7 ~~Director~~ JSEB Administrator, who may recommend to the City
8 Council Committee responsible for Audit review for
9 consideration by the City Council an amount that may be more
10 appropriate;

11 * * *

12 (d) Only a firm that is managed and controlled by a JSEB ~~or~~
13 ~~MBE~~ person(s) may be certified under this Program. The JSEB
14 ~~and~~ ~~MBE~~ owner(s) must actually exercise control over the
15 firm's operations, work, management and policy. Indicia of
16 such control are set forth below.

17 (1) A firm must not be subject to any formal or informal
18 restrictions that limit the customary discretion of such
19 owner(s). There can be no restrictions through corporate
20 charter provisions, by-law provisions, contracts or any other
21 formal or informal devices that prevent the JSEB ~~or~~ ~~MBE~~
22 owner(s), without the cooperation or vote of a non-qualifying
23 person or entity from making any business decision of the
24 firm.

25 (2) The JSEB ~~or~~ ~~MBE~~ owner(s) may delegate various areas of the
26 management or daily operations of the firm to persons who
27 would not qualify to be JSEBs ~~or~~ ~~MBEs~~ only if such delegation
28 is typical in the industry for such businesses. Such
29 delegations of authority must be revocable, and the JSEB ~~or~~
30 ~~MBE~~ must retain the power to hire and fire any such person.
31 The JSEB ~~or~~ ~~MBE~~ owner must have an overall understanding of,

1 and managerial and technical competence, experience and
2 expertise, directly related to the firm's operations and work.

3 (3)The JSEB ~~or MBE~~ owner cannot engage in outside employment
4 or other business interests that conflicts with the management
5 of the firm or prevents the owner from devoting sufficient
6 time and attention to the affairs of the firm to manage and
7 control its activities unless such activities would be
8 appropriate with commensurate businesses, in order to avoid
9 sham or fraudulent certifications.

10 (e) Only an independent firm may be certified as a JSEB. An
11 independent firm is one whose viability does not depend on its
12 relationship with another firm. Recognition of an applicant as
13 a separate entity for tax or corporate purposes is not
14 necessarily sufficient to demonstrate that a firm is
15 independent. In determining whether an applicant is an
16 independent business, the ~~Director~~ JSEB Administrator will:

17 (1) Scrutinize relationships with non-JSEBs in such areas as
18 personnel, facilities, equipment, financial and/or bonding
19 support, and other resources.

20 (2) Consider whether present or recent family, or
21 employer/employee relationships between the JSEBs owner(s) of
22 the applicant compromise the applicant's independence.

23 (3)Examine the applicant's relationships with non-JSEB prime
24 contractors to determine whether a pattern of exclusive or
25 primary dealings with a prime contractor compromises the
26 applicant's independence.

27 (4)Consider the consistency of relationships between the
28 applicant and non-JSEBs with normal industry practices.

29 (5)An owner shall be certified only for specific types of work
30 for which the owner(s) has the ability and expertise to manage
31 and control the firm's operations and work.

1 ~~(f) To be certified as an MBE, an individual must meet the~~
2 ~~following criteria:~~

3 ~~(1) Own a business certified as a JSEB;~~

4 ~~(2) And be an individual who is a member of one of the~~
5 ~~following categories:~~

6 ~~(i) Blacks/African Americans, which includes persons having~~
7 ~~origins in any of the Black racial groups of Africa;~~

8 ~~(ii) Hispanic Americans, which includes persons of Mexican,~~
9 ~~Puerto Rican, Cuban, Dominican, Central or South American, or~~
10 ~~other Spanish or Portuguese culture or origin, regardless of~~
11 ~~race;~~

12 ~~(iii) Native Americans, which includes persons who are~~
13 ~~American Indians, Eskimos, Aleuts, or Native Hawaiians;~~

14 ~~(iv) Asian Americans (persons whose origins are in any of the~~
15 ~~original peoples of the Far East, Southeast Asia, the islands~~
16 ~~of the Pacific or the Northern Marianas, or the Indian~~
17 ~~Subcontinent); or (v) Women.~~

18
19 **Sec. 126.610609. JSEB Program administration.**

20 (a) The ~~Director~~ JSEB Administrator shall manage the Program,
21 including:

22 (1) Implementing and enforcing rules and regulations hereunder
23 and, implementation and monitoring of the Program.

24 (2) Breaking larger contracts into smaller components where
25 such actions will facilitate competition and provide
26 opportunities under the Program.

27 (3) Providing information and assistance to ~~MBEs~~ and JSEBs
28 relating to City procurement opportunities, practices and
29 procedures, and bid and proposal specifications, requirements
30 and prerequisites.

31 (4) Certifying businesses as ~~MBEs~~ and JSEBs, maintaining

1 certification records, and ensuring that such information is
2 available on the City's Procurement website identifying all
3 such certified entities.

4 (5) Establishing Project Specific Goals after ensuring that
5 adequate ~~MBEs~~ and JSEBs are available to do the work.

6 (6) Evaluating contractors' achievement of Project Specific
7 Goals or Good Faith Efforts to meet Project Specific Goals.

8 (7) Working with City departments to ensure prompt, timely,
9 payments to JSEBs for work performed in accordance with
10 126.605 herein.

11 (8) Receiving, reviewing, and acting upon complaints and
12 suggestions concerning the Program. The ~~Director~~ JSEB
13 Administrator shall create a complaint form as part of this
14 process that identifies both parties.

15 * * *

16 (12) As appropriate, advertising all pre-bid conferences in
17 applicable JSEB ~~and MBE~~ newspapers, direct-mail or e-mail
18 notices to certified JSEBs, and otherwise seek to increase the
19 interest of all JSEBs certified in the scopes of work of the
20 contract.

21 * * *

22 (14) The Director shall maintain a list of certified ~~MBEs~~ and
23 JSEBs, shall have copies available for distribution and shall
24 post such information on the City's Procurement website.

25 (15) The Director shall be allowed to adjust the annual gross
26 receipts for good cause shown. An appeal of the decision of
27 the director may be appealed pursuant to 126.616

28 (b) Each City department shall identify to the Director the
29 person with the responsibility of ensuring JSEB ~~and MBE~~
30 participation; said person shall receive diversity training
31 and shall prepare quarterly reports to the Director

1 identifying the extent of non-JSEB, JSEB and ~~MBE~~ participation
2 in any procurement within their Department that month.

3 **Section 25. Repeal Section 126.611 and renumber each Section**
4 **thereafter.**

5 * * *

6 **Sec. 126.613 612. Contract pre-award compliance procedures.**

7 (a) For all solicitations, the bidder/proposer shall submit a
8 Schedule of Participation detailing all JSEB, ~~MBE~~, and non-
9 JSEB subcontractors from which the bidder/proposer solicited
10 bids or quotations. The entities comprising the JSEB goal of
11 at least 20 percent, or the ~~MBE~~ goals as set forth supra,
12 shall be identified, or the basis for a waiver for good faith
13 efforts shall be provided with the bid or proposal. The lists
14 of JSEBs ~~or MBEs~~ posted on the City's website establishes the
15 group from which a bidder/proposer must solicit subcontractors
16 under this program. The Schedule of Participation shall be due
17 at the time set out in the solicitation documents.

18 (b) Any agreement between a bidder/proposer that prevents a
19 JSEB ~~or MBE~~ from providing quotations to other
20 bidders/proposers is prohibited.

21 (c) Joint ventures shall only be allowed under this Program in
22 cases that demonstrate legitimate, detailed JSEB partnerships
23 with non-JSEBs, proof of which shall be provided to the
24 Director.

25 (d) Where the bidder/proposer cannot achieve the Project
26 Specific Goal(s), the Director will determine whether Good
27 Faith Efforts have been made. In making this determination,
28 the Director will consider, at a minimum, a matrix to
29 determine the bidder/proposer's efforts to:

30 (1) Solicit certified subcontractors in the scopes of work of
31 the contract. The bidder/proposer shall provide interested

1 JSEBs ~~or~~ ~~MBEs~~ with timely, adequate information about the
2 plans, specifications, and other such requirements of the
3 contract to facilitate their quotation. The bidder/proposer
4 must follow up initial solicitations with interested JSEBs ~~and~~
5 ~~MBEs~~.

6 (2) Identify a portion of the work available to JSEBs ~~and~~ ~~MBEs~~
7 consistent with their availability.

8 (3) Negotiate in good faith with interested JSEBs ~~and~~ ~~MBEs~~.
9 Price sharing is prohibited in negotiations. Evidence of such
10 negotiation includes the names, addresses, and telephone
11 numbers of JSEBs ~~and~~ ~~MBEs~~ that were contacted; a description
12 of the information provided regarding the plans and
13 specifications for the work selected for subcontracting; and
14 why agreements could not be reached with them. The ability or
15 desire of a bidder/proposer to perform the work of a contract
16 with its own organization does not relieve it of the
17 responsibility to make Good Faith Efforts on all scopes of
18 work subject to subcontracting.

19 (4) Facilitate the leasing of equipment supplies or equipment
20 when they are of such a specialized nature that the JSEB ~~or~~
21 ~~MBE~~ could not readily and economically obtain them in the
22 marketplace, where feasible.

23 **Sec. 126.614613. Good faith efforts in lieu of meeting Program**
24 **goals.**

25 For a contract with ~~MBE~~ ~~or~~ JSEB subcontracting goals, a
26 contractor must comply by either meeting the goal or
27 demonstrating Good Faith Efforts to achieve it that are
28 consistent with the requirements set forth in this Chapter. In
29 determining whether a bidder/proposer has made Good Faith
30 Efforts, in lieu of achieving the stated goals, the Director
31 shall consider all relevant factors, which include:

1 * * *

2 (b) For contracts other than for construction related
3 professional services, a signed letter of intent from all
4 listed JSEBs ~~and~~ MBEs describing the work, materials,
5 equipment or services to be performed or provided by the JSEBs
6 ~~and~~ MBEs and the agreed upon dollar value shall be due with
7 the bid documents but in no event before the expiration of 48
8 hours after the submission of the bid.

9 (c) For construction related professional services contracts,
10 the highest ranked proposer must deliver at the time of fee
11 and contract negotiations signed letters of intent between
12 itself and the JSEBs ~~and~~ MBEs(s) to be utilized.

13 If the Director finds that a bidder/proposer did not make
14 sufficient Good Faith Efforts, the Director shall communicate
15 this finding to the User Department and recommend that the
16 bid/proposal be rejected. A bidder/proposer may protest this
17 determination pursuant to the City's bid protest procedures.

18
19 **Sec. 126.615. Continuing obligations of JSEBs ~~and~~ MBEs and**
20 **graduation.**

21 The certification status of all JSEBs ~~and~~ MBEs shall be
22 reviewed annually by the Director through re-certification
23 application. Failure of the firm to seek re-certification by
24 filing the necessary documentation with the Department within
25 90 ~~60~~ days from the date of receipt of written notification
26 from Department may result in de-certification.

27 (a) It is the responsibility of the JSEB ~~or~~ MBE to notify the
28 Department of any change in its circumstances affecting its
29 continued eligibility for the Program. Failure to do so may
30 result in the firm's de-certification and preclusion from
31 future participation.

1 (b) The JSEB ~~or MBE~~ that no longer meets certification may be
2 decertified at any time.

3 (c) A firm, or qualifying individuals, who have participated
4 in the JSEB program for a total of 15 years shall graduate
5 from the Program.

6
7 **Sec. 126.~~616~~615. De-certification, Denial and appeal**
8 **procedure.**

9 (a) The Director may move to decertify a JSEB ~~or MBE~~ that
10 repeatedly fails to honor quotations in good faith, or
11 otherwise comply with Program requirements.

12 * * *

13
14 **Sec. 126.~~617~~616. Project goals.**

15 (a) The Director shall establish Project Specific Goal(s)
16 based on the availability of at least normal industry
17 practice, as determined in consultation with the User
18 Department, the availability of at least two JSEBs ~~or MBEs~~ to
19 perform the functions of those individual contracts and the
20 City's utilization of such to date. Project Specific Goal(s)
21 may be set for African Americans, Hispanic, Asian, and Native-
22 American or in an aggregation of groups of such individuals,
23 or for such individuals as a whole.

24 (b) Project Specific Goal(s) shall not be set on emergency
25 contracts as defined by City Code or for purchases made in
26 conjunction with the State although JSEBs and MBEs shall be
27 considered for such sole-source or emergency procurements if
28 qualified.

29
30 **Sec. 126.~~618~~617. Pre-award review of compliance with numerical**
31 **goals, including good faith efforts.**

1 (a) The Director shall timely review the Schedule of
2 Participation prior to award, including the scope of work and
3 the letters of intent from JSEBs ~~or MBEs~~. The Director may
4 request clarification in writing of items listed in the
5 Schedule of Participation, provided such clarification shall
6 not include the opportunity to augment listed JSEBs ~~or MBEs~~
7 participation or Good Faith Efforts. The Director shall review
8 all submittals and document the participation of each
9 submittal.

10 * * *

11 **Sec. 126.619618. Contract performance compliance procedures.**

12 * * *

13 (b) The contractor shall provide a listing of all JSEBs, ~~MBEs~~
14 and any other subcontractors to be used in the performance of
15 the contract, and subcontractor payment information to the
16 City with each request for payment submitted to the City. The
17 Director and the User Department shall monitor subcontractor
18 participation during the course of the contract and shall have
19 reasonable access to all contract-related documentation held
20 by the contractor.

21 (c) The contractor cannot make changes to the Schedule of
22 Participation or substitute subcontractors named in the
23 Schedule of Participation without the prior written approval
24 of the Director upon recommendation of the Ombudsman.
25 Unauthorized changes or substitutions shall be a violation of
26 this chapter, and may constitute grounds for rejection of the
27 bid or proposal or cause termination of the executed contract
28 for breach, the withholding of payment and/or subject the
29 contractor to contract penalties or other sanctions.

30 (1) All requests for changes or substitutions of the
31 subcontractors named in the Schedule of Participation shall be

1 made to the Ombudsman with a copy to the Director in writing,
2 and shall clearly and fully set forth the basis for the
3 request. A contractor shall not substitute a subcontractor or
4 perform the work designated for a subcontractor with its own
5 forces unless and until the Director approves such
6 substitution in writing. A contractor shall not allow a
7 substituted subcontractor to begin work until both the
8 Director and the City's project manager have approved the
9 substitution.

10 (2) The facts supporting the request must not have been known
11 nor reasonably should have been known by either party prior to
12 the submission of the Schedule of Participation. Bid shopping
13 is prohibited. The contractor must bring this dispute to the
14 Ombudsman for resolution.

15 (3) The Director's final decision whether to permit or deny
16 the proposed substitution, and the basis therefore, will be
17 communicated to the parties in writing by the Director, with a
18 copy to the ~~COO~~CAO.

19 (4) If the City requires the substitution of a subcontractor
20 listed in the Schedule of Participation, the contractor shall
21 undertake Good Faith Efforts to fulfill the Schedule of
22 Participation if the Project Specific Goals would not
23 otherwise be met. If the Goal(s) cannot be reached and Good
24 Faith Efforts have been made, the contractor may substitute
25 with a non-JSEBs ~~or MBEs~~.

26 (d) If a Contractor plans to hire a subcontractor on any scope
27 of work that was not previously disclosed in the Schedule of
28 Participation, the contractor shall obtain the approval of the
29 Director to modify the Schedule of Participation and must make
30 Good Faith Efforts to ensure that JSEBs ~~or MBEs~~ have a fair
31 opportunity to bid on the new scope of work.

1 * * *

2 **Sec. 126.621620. JSEB and Program eligibility.**

3 (a) Only businesses that meet the criteria of JSEBs ~~and MBEs~~
4 may be certified for participation in the Program. The
5 applicant has the burden of persuasion.

6 * * *

7 (c) The certification status of all JSEBs ~~and MBEs~~ shall be
8 reviewed annually by the Department. Failure of the firm to
9 seek re-certification by filing the necessary documentation
10 with the Department within 60 days from the date of receipt of
11 written notification from the Department may result in de-
12 certification.

13 (d) It is the responsibility of the JSEBs ~~and MBEs~~ to notify
14 the Department of any change in its circumstances affecting
15 its continued eligibility for the Program. Failure to do so
16 may result in the firm's de-certification.

17 (e) The Director shall decertify a firm that does not meet the
18 eligibility criteria.

19 (f) A JSEB ~~or MBE~~ may receive no more than five prime
20 contracts set aside per year or an aggregate total prime
21 contracts set aside per year in the amount of \$4,000,000,
22 which ever is greater.

23 * * *

24 **Sec. 126.622621. Counting subcontracting participation of**
25 **JSEBs ~~and MBEs~~.**

26 (a) The entire amount of that portion of a construction
27 subcontract that is performed by the JSEBs ~~and MBEs~~ own forces
28 shall be counted, including the cost of supplies and materials
29 obtained by the JSEBs ~~and MBEs~~ for the work of the
30 subcontract, and supplies purchased or equipment leased by the
31 JSEBs ~~and MBEs~~. Supplies and equipment the JSEBs ~~and MBEs~~

1 purchases or leases from the prime contractor or its Affiliate
2 shall not count as JSEB ~~or MBE~~ participation.

3 (b) The entire amount of fees or commissions charged by a
4 JSEBs ~~and MBEs~~ for providing a bona fide service, such as
5 professional, technical, consultant or managerial services, or
6 for providing bonds or insurance specifically required for the
7 performance of a contract shall be counted, provided the fee
8 is reasonable and not excessive as compared with fees
9 customarily charged for similar services.

10 (c) If a firm ceases to be a certified JSEBs ~~and MBEs~~ during a
11 contract, the dollar value of work performed under a contract
12 with that firm after it has ceased to be certified shall be
13 counted in the City's internal accounting. No contractor shall
14 be penalized in any way as a result of the failure of a
15 project to achieve its Project Specific Goals because of the
16 operation of this Section.

17 (d) In determining achievement of a Subcontracting
18 Participation Goal, the participation of a JSEB ~~or MBE~~ shall
19 not be counted until the amount being counted has been paid to
20 that entity.

21 * * *

22 **Sec. 126.623622. Acts which may result in expulsion from the**
23 **JSEB program; fines, and criminal offenses.**

24 (a) The following violations of this chapter are unlawful and
25 may be prosecuted in Municipal Court as Class D offenses:

26 (1) Providing information to the City in connection with an
27 application for or challenge to certification, re-
28 certification or de-certification as JSEBs ~~or MBEs~~ that the
29 providing party knew or should have known to be false or
30 misleading.

31 * * *

1 (4) Substituting JSEBs ~~or MBEs~~ subcontractors without first
2 receiving approval for such substitutions.

3 * * *

4 **Sec. 126.624623. Annual Budget Appropriation.**

5 The JSEB ~~and MBE~~ programs, as provided for in this Chapter,
6 shall be funded at a minimum of \$500,000 or greater excluding
7 staff.

8 **Section 26. Organizational Chart.** For informational
9 purposes only for this legislation, an organizational chart is
10 attached hereto as **Exhibit 8.**

11 **Section 27. Transition.** The Mayor or designee is
12 authorized to effect the transition and implementation required by
13 this ordinance through the transfer or other disposition of the
14 records, property, and personnel (those not confirmed by Council)
15 affected by this legislation.

16 **Section 28. Codification.** All references in the *Ordinance*
17 *Codes* shall be adjusted accordingly as to these department changes,
18 respectively.

19 **Section 29. Codification Instructions.**

20 The Codifier is authorized to make all chapter and division
21 "tables of contents" consistent with the changes set forth herein.
22 Furthermore, the Office of General Counsel, working together with
23 and through the contracted codifier of the City Ordinance Code, is
24 hereby authorized and directed to make such editorial changes
25 throughout the Ordinance Code to reflect the name changes,
26 including but not limited to: (1) Parks and Recreation to Parks,
27 Recreation and Community Services, (2) the Waterfront Management
28 and Programming Division to the Beaches and Preservation Division,
29 (3) the Neighborhoods Department to the Regulatory Compliance
30 Department therein, in regard to all to departments, divisions and
31 sub-titles therein, and to reflect such changes in duties,

1 functions and responsibilities throughout the *Ordinance Code*
2 resulting from the reorganization and the restructuring of the
3 Executive Branch of the City government as set forth herein. Such
4 editorial changes, and any others necessary to make the *Ordinance*
5 *Code* consistent with this reorganization, and any past
6 reorganization are approved and directed herein, and changes to the
7 *Ordinance Code* shall be made forthwith and when inconsistencies are
8 discovered.

9 **Section 30. Authorizing the Council Auditor's and General**
10 **Counsel's Office to make "Technical Amendments"**. The Council
11 Auditors and the General Counsel's Offices are authorized to take
12 all necessary action in connection with this legislation, to
13 execute the finalization and codification of the legislation to
14 effectuate the purposes of this Ordinance as recommended by the
15 Council Committees and enacted by Council, without further Council
16 action, provided such changes and amendments are limited to
17 "technical amendments" including updating division, and
18 departmental name changes throughout the code, and do not change
19 the fiscal impact and, further provided, that all such amendments
20 shall be subject to appropriate legal review and approval by the
21 General Counsel, or designee, and all other appropriate official
22 action required by law.

23 **Section 31. Liberal Construction.** The provisions of
24 this act shall be liberally construed to effect its purposes and
25 shall be deemed cumulative, supplemental and alternative for the
26 exercise of the powers provided herein.

27 **Section 32. Severability.** If any section, clause,
28 sentence, or provision of this act or the application of such
29 section, clause, sentence, or provision to any person or bodies or
30 under any circumstances shall be held to be inoperative, invalid,
31 or unconstitutional, the invalidity of such section, clause,

1 sentence, or provision shall not be deemed, held, or taken to
2 affect the validity or constitutionality of any of the remaining
3 parts of this act, or the application of any of the provisions of
4 this act to persons, bodies, or in circumstances other than those
5 as to which it or any part thereof shall have been inoperative,
6 invalid, or unconstitutional, and it is intended that this act
7 shall be construed and applied as if any section, clause, sentence,
8 or provision held inoperative, invalid, or unconstitutional had not
9 been included in this act.

10 **Section 33. Effective Date.** This ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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15 Form Approved:

16
17

18 Office of General Counsel

19 Legislation prepared by: Margaret M. Sidman

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Findings

Pursuant to Section 21, Part 2, Ordinance Code, the Mayor makes the following findings regarding the need to reform and reorganize the Executive Branch of government to improve the efficiency of governmental operation and the delivery of services:

- To better align City Government with the interest of its stakeholders, certain Executive Branch departments and divisions should be abolished or reorganized and their functions redistributed.
- By realigning department and division functions, the City can deliver services in a more efficient and effective manner to the public while being better positioned to changing priorities in an uncertain economy.

Section 21.202, Ordinance Code Compliance

The Mayor has investigated the reform and reorganization of certain Executive branch departments. The administration finds that the reorganization and reform of these departments will result in the best use of available funds and resources. This will accomplish the policy goals set forth in Section 21.201, Ordinance Code.

The administration finds that this reform and reorganization will achieve maximum efficiency and coordination in the delivery of City services through an updated management structure within the executive departments. The reorganization will better align the structure of government with the interests of its stakeholders. Simplification will improve effectiveness and efficiency. Further, the administration of limited resources is best achieved through this reorganization to ensure that service delivery will be operated for the public good; and that this reorganization will accomplish the policy goals set forth in Section 21.201, Ordinance Code.

Section 21.203, Ordinance Code Compliance

Responsive to Section 21.203's requirements, the reorganization plan transmitted by the Mayor:

- (a) Shall specify with respect to each function proposed to be abolished, the legal authority for the exercise of the function.

The authority for this reorganization lies in the Charter for the City Executive Branch as operating the day to day obligations of the City.

- (b) Shall state the reduction of expenditures, itemized as far as practicable, which it is probable will be brought about reorganization.

Phase I of this reform and reorganization moved 449 FTE positions and 281,137 part-time hours. Phase II is designed to increase efficiencies and right-sizing of government operations. It is the goal of the reform and reorganization to better align government with the interest of its stakeholders.

- (c) Shall change, where he deems necessary, the name of an agency affected by the reorganization and the title of its head.

The changes to the departmental structure are identified below:

- Amending Chapter 23 (Intra-Governmental Services Department) and defining the responsibilities of the Office of the Ombudsman in Chapter 126, 630-CITY (city link), transferring Equal Business Opportunity Office from Chapter 55 (Economic Development Office) and clarifying the manager of the office as the JSEB administrator, defining the responsibilities of the office in Chapter 126; and transferring the Office of Grants and Contract Compliance from Chapter 28 (Parks and Recreation); establishing a liaison relationships with Office of Intragovernmental Services Director with the Duval County Department of Health, Jacksonville Children’s Commission, Jacksonville Human Rights Commission, Jacksonville Public Library, and the Medical Examiner’s Office; and repealing the Administrative Services Division (ASD);
- Repealing Chapter 27 (Special Services Department) and transferring Senior Services and Behavioral & Human Services to Parks, Recreation & Community Services (Chapter 28); restoring the chiefs of both divisions; renaming Behavioral & Human Services to Social Services;
- Amending and renaming Chapter 28 (Parks and Recreation) to Parks, Recreation & Community Services Department (PRCS), providing for a Director; retaining Recreation and Community Programming and Waterfront Parks divisions; transferring the Office of Grants and Contract Compliance to Chapter 23 (Intra-Governmental Services);
- Amending Chapter 32 (Public Works) and authorizing/providing for a deputy director; housing the Real Estate Division as an office within the Office of the Director, and creating a liaison relationship with Environmental Protection Board (EPB) in the Office of the Director for staffing purposes; creating the Infrastructure Division and housing related activities within it (Contract Maintenance, Contract Construction, Public Buildings, Streets and Drainage (formerly ROW-Grounds Maintenance) and Traffic Engineering; creating the Environmental Division and housing related activities within it

(Solid Waste and Environmental Quality, Mosquito Control [from Chapter 35 Neighborhoods Department]).

- Amending Chapter 55 (Economic Development) to manage the access to capital program as defined in Section 126.602.

(d) Shall designate the name of the new agency resulting from the reorganization and the title of its head.

The ordinance renames the Parks and Recreation Department to the Parks, Recreation & Community Services Department. The Director of the Department of Parks, Recreation & Community Services shall be the head of the department.

The ordinance restores the Chief of the Senior Services Division.

The ordinance restores the Chief of the Behavioral & Human Services Division.

The ordinance renames the Behavioral and Human Services Division to the Social Services Division. The head of the Social Services Division shall be the Chief of the Social Services Division.

The ordinance restores a deputy director position to the Public Works Department. The deputy director shall be known as the operations director of the Public Works Department.

The ordinance creates the Infrastructure Division. The Chief of Infrastructure shall be the head of the division.

The ordinance creates the Environmental Division. The Chief of Environmental shall be the head of the division.

The ordinance renames the head of the Equal Business Opportunity Office as the JSEB Administrator.

(e) May include provisions for the appointment and compensation of the head and other offices of the agency, if the Mayor finds and declares that, by reason of reorganization, these provisions are necessary and in the provisions.

(1) The head so provided for may be an individual or may be a collegial body with two more or more members.

Affected individual Division Chiefs and Department Directors are outlined in the Ordinance.

(2) The term of the office of the head, in the case of an individual, may be at the pleasure of the appointing authority.

The title and term of all offices serving at the pleasure of the Mayor shall remain the same which is set forth by the new ordinance.

(3) The compensation of an individual head shall not be at a rate or within a range in excess of that found by the Mayor to prevail for comparable officers in the executive branch.

Compensation for each position will be consistent with the pay and class system approved by City Council.

(4) If the appointment is not under the civil service laws, it shall be by the Mayor, subject to confirmation by the Council.

Companion legislation will be filed for confirmation of appointments to new positions requiring the confirmation of Council.

(5) Candidates for appointment to a position shall meet the qualifications set forth in the respective code section for the position of appointment; provided, however, the Mayor may propose the appointment and the Council may confirm the appointment of a person to a position, if the Mayor and the Council determine that the person has commensurate training and experience which would be appropriate for such appointment.

All of the recommended appointees will meet the necessary professional qualifications for each position.

- (f) Shall make provision for the transfer or other disposition of the records, property and personnel affected by the reorganization.

The Mayor, through his executive powers shall provide for the transfer or other disposition of the records, property and personnel affected by the reorganization. The reorganization ordinance provides authorization for the transfers required herein.

- (g) Shall make provision for the transfer of unexpended and unencumbered balances of appropriations and of other funds available for use in connection with an agency or function affected by the reorganization, as he deems necessary for use in connection with the functions affected by the reorganization or for the use of the agency which shall have the functions after the reorganization becomes effective but unexpended balances so transferred shall be used only for the purposes for which the appropriations were originally made.

Budget Transfer (BT12-027) and Request for Position Change (RC12-020) associated with this proposed reform and reorganization plan are attached to the legislation as exhibits.

- (h) Shall make provision for terminating the affairs of an abolished agency.

The ordinance providing for the reorganization so provides.

- (i) Shall be accompanied by a proposed ordinance or ordinances which will accomplish the reorganization, except in those areas in which an executive order is sufficient.

The ordinance providing for the reorganization so provides.

- (j) Shall bear an identifying number consisting of the year in which the plan is transmitted and the consecutive number of the plan, beginning with "1" in each calendar year.

This Reorganization Plan is 2013-1.

Alvin Brown
Mayor

Approved as to form
And Legal sufficiency

Cindy Laquidara
General Counsel

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> **Chapter 23 - INTRA-GOVERNMENTAL SERVICES DEPARTMENT** >> **PART 2. ADMINISTRATIVE SERVICES DIVISION** >>

PART 2. ADMINISTRATIVE SERVICES DIVISION

Sec. 23.201. Establishment; functions.

Sec. 23.202. Division chief.

Sec. 23.201. Establishment; functions.

There is created an executive division of the Intra-Governmental Services Department to be known as the Administrative Services Division. In an effort to perform streamlined administrative support services in a more efficient and centralized manner, such that the directors, chiefs, managers, and supervisors of the city's various departments and agencies are free to effectively manage the specific scope of their particular civic responsibilities, the Division is created and shall be responsible for the provision of resources and services essential for the overall management of the general administrative support operations of Consolidated Government, for the development, implementation, and management of policies and procedures related to administrative support services, including without limitation:

- (a) Providing the general management of administrative and clerical functions in an effort to establish consistency and efficiency in the city's administrative processes and functions, whereby specific personnel are assigned day-to-day support functions for specific departments or agencies, while insuring staff availability to perform special project support functions as required;
- (b) Providing departmental and managerial support functions in areas such as departmental payroll supervision, attendance tracking, reimbursement coordination, finance support, budget preparation and monitoring, service and supply acquisition, travel coordination, safety and risk management support, technological administrative support, supply and storage management, mail/courier support, ethics support, and audit assistance;
- (c) Providing procedures that encourage cross-training and the establishment of best practices from among the city's current core of diverse, knowledgeable, and skilled administrative personnel in an effort to eliminate redundancies and to better utilize said personnel and for the purpose of continuity of service;
- (d) Coordinating the effective and timely dissemination of information and administrative services between departments and agencies;
- (e) Managing the establishment of working relationships between the administrative and clerical staff and each of the city's departments and agencies.

(Ord. 2007-839-E, § 3; Ord. 2011-732-E, § 10)

Sec. 23.202. Division chief.

The Chief of Administrative Services ("Chief") shall head the Administrative Services Division, shall be appointed by the Mayor, subject to confirmation by Council, and shall serve at the

pleasure of the Mayor. The Chief shall have a bachelor's degree or higher from an accredited college or university and have commensurate training and experience and have at least five years' experience in an administrative supervisory or office managerial position. The Chief shall manage the various functions of the Division outlined herein, and shall perform such other duties and responsibilities as may be assigned by the Mayor, the Director of the Intra-Governmental Services Department, or their respective designees.

(Ord. 2007-839-E, § 3; Ord. 2011-732-E, § 10)

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> [Chapter 27 SPECIAL SERVICES DEPARTMENT](#) >>

Chapter 27 SPECIAL SERVICES DEPARTMENT

[PART 1. - DEPARTMENT ESTABLISHED; OFFICE OF DIRECTOR](#)

[PART 2. - BEHAVIORAL AND HUMAN SERVICES DIVISION](#)

[PART 3. - SENIOR SERVICES DIVISION.](#)

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> [Chapter 27 - SPECIAL SERVICES DEPARTMENT](#) >> PART 1. DEPARTMENT ESTABLISHED; OFFICE OF DIRECTOR >>

PART 1. DEPARTMENT ESTABLISHED; OFFICE OF DIRECTOR

[Sec. 27.101. General.](#)

[Sec. 27.102. Director.](#)

Sec. 27.101. General.

There is created an executive department to be known as the Special Services Department. The Department shall administer and be responsible for welfare, mental health, victims and disabled services, for senior services, for children's services and for human rights services and functions. The Department shall also serve as the liaison for the following: Jacksonville Children's Commission, Office of Medical Examiner, and the Public Health Department.

(Ord. 2011-732-E, § 12)

Sec. 27.102. Director.

The Director of Special Services is the head of the Department. The Director shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Director shall have a bachelor's degree or higher from an accredited college or university and at least five years of progressively responsible experience in a management or executive position.

(Ord. 2011-732-E, § 12)

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> [Chapter 27 - SPECIAL SERVICES DEPARTMENT](#) >> PART 2. BEHAVIORAL AND HUMAN SERVICES DIVISION >>

PART 2. BEHAVIORAL AND HUMAN SERVICES DIVISION

[Sec. 27.201. Behavioral and Human Services Division.](#)

[Sec. 27.202. Division Chief.](#)

Sec. 27.201. Behavioral and Human Services Division.

The Behavioral and Human Services Division is created and it shall be responsible for the administration and operation of the welfare activities, and for administration of the mental health (including substance abuse and mental illness) activities of the City for all populations including victims, and person(s) with a disability or disabilities. The Division shall have a liaison relationship with the Military, Veterans and Disabled Services Department.

(Ord. 2011-732-E, § 12)

Sec. 27.202. Division Chief.

The Chief of Behavioral and Human Services shall be the Division Chief of the Behavioral and Human Services Division. The Chief shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Chief shall have a bachelor's degree or higher from an accredited college or university in sociology, psychology or a related field and have at least five years of administrative experience in at least one of the areas of responsibility.

(Ord. 2011-732-E, § 12)

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> **Chapter 27 - SPECIAL SERVICES DEPARTMENT** >> PART 3. SENIOR SERVICES DIVISION. >>

PART 3. SENIOR SERVICES DIVISION.

[Sec. 27.301. Senior Services Division; establishment; functions.](#)

[Sec. 27.302. Division Chief.](#)

Sec. 27.301. Senior Services Division; establishment; functions.

There is created a Senior Services Division. The Division shall be responsible for administration and operation of community-wide social service programs relating to the adult population, especially senior citizens. The Senior Services Division shall concentrate on enhancement of existing services and development of new services. The Division shall have a liaison relationship with the Recreation and Community Programming Division within the Parks and Recreation Department, and shall be responsible for the operations and programming of the senior centers.

(Ord. 2011-732-E, § 12)

Sec. 27.302. Division Chief.

The Chief of Senior Services is the Division Chief of the Senior Services Division. The Chief shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Chief shall have a bachelor's degree or higher in an accredited college or university in psychology, sociology or a related field and at least five years of experience in the social services or related field.

(Ord. 2011-732-E, § 12)

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> [Chapter 32 - PUBLIC WORKS DEPARTMENT](#) >> [PART 3. RIGHT OF WAY AND GROUNDS MAINTENANCE DIVISION](#) >>

PART 3. RIGHT OF WAY AND GROUNDS MAINTENANCE DIVISION ^[3]

[Sec. 32.301. Created; functions.](#)

[Sec. 32.302. Division Chief.](#)

Sec. 32.301. Created; functions.

There is created the Right of Way and Grounds Maintenance Division. The Division shall have general responsibility for planning, building and maintaining the streets, highways and drainage facilities; traffic signals and other traffic-control devices, including railroad crossing signals; and for performing landscape maintenance of public buildings, street right of ways, parks and grounds, and other miscellaneous public sites of the Consolidated Government. The division shall also be responsible for coordinating the efforts of various government agencies concerned with streets and highways in Duval County.

(Ord. 73-1060-516, § 2; Ord. 76-889-424, § 2; Ord. 83-591-400, § 1; Ord. 91-1024-418, § 6; Ord. 2007-839-E, § 9)

Note—Former § 18.301.

Sec. 32.302. Division Chief.

There shall be a Division Chief of the Right of Way and Grounds Maintenance Division. The Chief shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Division Chief shall be registered by the State of Florida as a Professional Engineer and have at least five years' experience in highway and street construction, planning and maintenance. The Division Chief shall serve as staff to the Context Sensitive Streets Standards Committee set forth in [Section 32.702](#), Ordinance Code and serve as a member of the Subdivision Standards and Policy Advisory Committee.

(Ord. 73-1060-516, § 2; Ord. 76-889-424, § 2; Ord. 83-591-400, § 1; Ord. 91-1024-418, § 6; Ord. 2005-1518-E, § 1; Ord. 2007-839-E, § 9; Ord. 2013-185-E, § 4)

Note—Former § 18.301.

FOOTNOTE(S):

--- (3) ---

Editor's note— Ord. 2007-839-E, § 9, renamed Pt. 3 to read as herein set out. Formerly, Pt. 3 was entitled "Streets and Drainage Division." ([Back](#))

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> [Chapter 32 - PUBLIC WORKS DEPARTMENT](#) >> [PART 5. PUBLIC BUILDINGS DIVISION](#) >>

PART 5. PUBLIC BUILDINGS DIVISION ^[5]

[Sec. 32.501. Creation; functions.](#)

[Sec. 32.502. Division Chief.](#)

Sec. 32.501. Creation; functions.

There is created a Public Buildings Division. The Public Buildings Division shall be responsible for general maintenance of all public buildings of the Consolidated Government, including the responsibility for all security, custodial and maintenance employees as well as maintenance of parks, buildings and centers, lighting and other electrical elements.

(Ord. 91-1024-418, § 6; Ord. 2007-839-E, § 9)

Sec. 32.502. Division Chief.

The Chief of Public Buildings is the Division Chief of the Public Buildings Division. The Chief shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Chief shall have at least five years experience in maintenance work.

(Ord. 91-1024-418, § 6; Ord. 2007-839-E, § 9)

FOOTNOTE(S):

--- (5) ---

Editor's note— Ord. 2007-839-E, § 9, amended the Code by renumbering former Pt. 6 as a new Pt. 5. ([Back](#))

Jacksonville, Florida, Code of Ordinances >> TITLE III - EXECUTIVE BRANCH >> **Chapter 35 - NEIGHBORHOODS DEPARTMENT** >> **PART 7. HOUSING AND COMMUNITY DEVELOPMENT DIVISION**
>>

PART 7. HOUSING AND COMMUNITY DEVELOPMENT DIVISION ^[6]

Sec. 35.701 Establishment; functions.

Sec. 35.702. Chief of the Housing and Community Development Division.

Sec. 35.703. Jacksonville Housing and Community Development Commission; Commission Members.

Sec. 35.704. Jacksonville Housing Finance Authority.

Sec. 35.705. Execution of instruments.

Sec. 35.701 Establishment; functions.

There is hereby created a division within the executive branch of the City to be known as the Housing and Community Development Division. The Division shall be responsible for:

- (a) Housing services, including but not limited to:
 - (1) Affordable Housing Coordinator. The Affordable Housing Coordinator shall have a bachelor's degree from an accredited institution and at least five years' experience in housing development. The Affordable Housing Coordinator shall:
 - i. Serve as a central resource of information regarding all processes required to bring an affordable or workforce housing development to completion; and
 - ii. Proactively assist developers of affordable and workforce housing developments with the different processes required to bring an affordable or workforce housing development to completion; and
 - iii. Communicate with other City Departments to ensure that affordable and workforce housing developments are not delayed within processes managed by other City Departments; and
 - iv. Where appropriate, act as a liaison between developers of affordable and workforce housing developments and all permitting agencies to expedite the permitting processes; and
 - v. Provide other necessary support to ensure that affordable and workforce housing developments are completed to meet the housing needs of the citizens of Jacksonville.
 - (2) administration and operation of affordable housing program(s) to preserve and enhance the supply of affordable housing within Duval County. With the exception of those matters that are the responsibility of the Jacksonville Housing Authority, the Housing and Community Development Division is hereby designated as the City agency for housing initiatives and all matters relating to affordable housing,
- (b) Community development (including Community Development Block Grant funds, town center initiatives, and the administration of the Northwest Quadrant Economic Development Fund); including but not limited to:

- (1) To serve as a liaison to the Office of Economic Development (d/b/a Economic Development Board).
 - (2) To provide a program for the relocation of displaced persons.
 - (3) To effectively provide for the rehabilitation, conservation and redevelopment of slums and blighted areas in the city.
 - (4) To prevent the growth and recurrence of slums and blighted areas in the city.
- (c) All other matters related thereto, including but not limited to the planning, development, supervision, and implementation of programs and projects funded by State of Florida funds (including but not limited State Housing Initiatives Partnership funds), and funded by Housing and Urban Development funds (including but not limited to Emergency Shelter Grant funds, Housing Opportunities for Persons with Aids funds, HOME Investment Partnership Program funds, Community Development Block Grant funds, and Neighborhood Stabilization Program funds). It is the intent of Council that the funding and utilization of these program funds should be consistent with past practices and subject to applicable law.
- (d) The Division shall also serve as the liaison for the Jacksonville Human Rights Commission (with respect to housing matters only).
- (e) Effective October 1, 2011, and applicable to Town Center projects whose design and construction have been approved by the City and completed by July 1, 2011, and whose maintenance has not been provided for by a signed maintenance agreement, the City of Jacksonville, through its appropriate department, shall be responsible for the continued landscape and hardscape maintenance of such Town Center projects, the cost of which may be supplemented or offset with such private assistance as may be secured.

(Ord. 2011-732-E, § 28; Ord. 2011-388-E, § 1; Ord. 2012-364-E, § 10)

Editor's note—

Ord. 2011-388-E, § 1, amended the Code by adding a new subsection (b) to [§ 55.306](#). However, former [§ 55.306](#) was renumbered as part of [Ch. 35](#) by Ord. No. 2011-732-E; therefore the provisions of Ord. 2011-388-E were included as a new subsection [35.701\(e\)](#).

Sec. 35.702. Chief of the Housing and Community Development Division.

There shall be a Chief of the Housing and Community Development Division. The Chief shall:

- (a) Have a bachelor's degree or higher from an accredited college or university and at least five years of experience in affordable housing or in community planning, and have proven administrative experience;
- (b) Be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor; and
- (c) Manage all operations of the Housing and Community Development Division.

(Ord. 2011-732-E, § 28)

Sec. 35.703. Jacksonville Housing and Community Development Commission; Commission Members.

- (a) There is hereby established a Commission to be known as the "Jacksonville Housing and Community Development Commission," which shall be comprised of 11 members, all of

whom shall be residents of Duval County. It is hereby determined that all persons serving on the Jacksonville Housing and Community Development Commission prior to the effective date of this chapter have continued in their offices notwithstanding this ordinance code transfer. Six members shall be appointed by the Mayor and confirmed by Council, and five members shall be appointed by the Council. Pursuant to the requirements of section 420.9076, Florida Statutes (as amended from time to time) the Commission shall be deemed the "advisory committee" as required by state law. The Commission membership shall consist of the following persons (each of whom is actively engaged in her/his respective activity): (1) residential home building industry in connection with affordable housing; (2) banking or mortgage banking industry in connection with affordable housing; (3) areas of labor in home building in connection with affordable housing; (4) advocacy for low-income persons in connection with affordable housing; (5) for-profit provider of affordable housing; (6) not-for-profit provider of affordable housing; and (7) real estate professional in connection with affordable housing. With respect to the foregoing specific requirement in any of the above seven activities of an affordable housing connection, if a finding is made regarding the presence of a conflict of interest or other reasonable factor that would result in an appointment not otherwise being made, then a member may nonetheless be appointed in that activity without the specific requirement of the affordable housing connection. The Commission shall also consist of the following additional persons: (1) a representative also actively serving on the local planning agency pursuant to section 163.3174, Florida Statute, and if the local planning agency is comprised of the governing board of the municipality, then the appointment of a person knowledgeable in the local planning process; (2) a representative of employers in Duval County; and (3) a representative of essential services personnel (as defined in the Local Housing Assistance Plan as adopted from time to time). The only statutory qualification for the last Commission member is residency in Duval County. Each member shall serve a term of four years; provided, however the initial appointments shall be as follows: four (4) members shall serve terms of four (4) years each, four (4) members shall serve terms of three (3) years each, and three (3) members shall serve terms of two (2) years each. Thereafter, all members appointed to the Commission shall serve terms of four (4) years. Commencing with the effective date of this chapter, no member may serve for more than two consecutive terms. Members shall serve for the term of their respective offices until they are reappointed and confirmed, or until their qualified successors have been appointed and confirmed, or such member resigns, whichever occurs first. The Mayor shall appoint the Chairman from the eleven member board, for a term of two years of the Commission, and the Commission members shall elect the remaining officers.

- (b) A quorum for the Commission shall consist of a simple majority of appointed members.
- (c) The Chairman may create such committees as he deems necessary.
- (d) The Commission, acting as the advisory committee, shall conduct any required public hearings, undertake the review, take any and all required actions for compliance, and make recommendations to the Council for adoption (and authorize the transmittal) as required by section 420.9076, Florida Statutes.
- (e) The Commission shall conduct any required public hearings, undertake the review, take any and all required actions for compliance, and recommend to the Council for adoption (and authorize the transmittal) a "Consolidated Plan" as required by 24 CFR Part 91

(Ord. 2011-732-E, § 24)

Sec. 35.704. Jacksonville Housing Finance Authority.

The Council finds, pursuant to F.S. § 159.604, that there is a need for a housing finance authority, as there is a need to alleviate a shortage of housing and capital investment for the people of Duval County. Accordingly, there is hereby created within the Housing and Community Development Division a separate board to be known as the Jacksonville Housing Finance Authority ("JHFA"). The JHFA is authorized to function throughout all of the territorial limits of the City. The JHFA shall operate with all the powers and authority of a housing finance authority, and shall ensure compliance with the provisions of F.S. § 159.601, et seq. The JHFA shall preserve outstanding debt, issue new debt and shall shield the City from financial liability. The JHFA shall be comprised of five board members, three of whom shall be members appointed by the Mayor and confirmed by Council, and two of whom shall be appointed by Council. It is hereby determined that all persons serving on the Jacksonville Housing Financing Authority prior to the effective date of this chapter have continued in their offices notwithstanding this ordinance code transfer. Each member shall serve a term of four years; provided, however that to provide for staggered terms, of the members first appointed, two (2) members shall serve terms of four (4) years each, two (2) members shall serve terms of three (3) years each, and one (1) member shall serve a term of two (2) years. Thereafter, all members appointed to the Commission shall serve terms of four (4) years. Commencing with the effective date of this chapter, no member may serve for more than two consecutive terms, and members shall serve for the term of their respective offices until they are reappointed and confirmed, or until their qualified successors have been appointed and confirmed, or such member resigns, whichever occurs first. It is the intent that the existence of the JHFA as a legal entity continues without lapse, termination or interruption as the JHFA existed prior to the enactment of this chapter. A quorum for the JHFA shall consist of three members present. The Mayor shall appoint the Chairman of the JHFA from the five member board, for a term of two years, and the JHFA members shall elect the remaining officers. The Mayor is authorized to take all necessary actions in structuring this five-member board to ensure compliance with state law. At least three of the five members shall represent one of the following organizations: labor, finance or commerce.

(Ord. 2011-732-E, § 24)

Sec. 35.705. Execution of instruments.

Except as may otherwise be specifically set forth in [Section 111.620](#), Ordinance Code, all instruments in writing to be signed by the Housing and Community Development Division shall be executed by the Mayor or his designee.

(Ord. 2011-732-E, § 24)

FOOTNOTE(S):

--- (6) ---

Editor's note— Ord. 2011-732-E, §§ 27 and 28, amended the Code by repealing former Pt. 6, §§ 35.701 and 35.702, in its entirety, and adding a new Pt. 7. Former Pt. 7 pertained to the Consumer Affairs Division, and derived from Ord. 2007-839-E. ([Back](#))

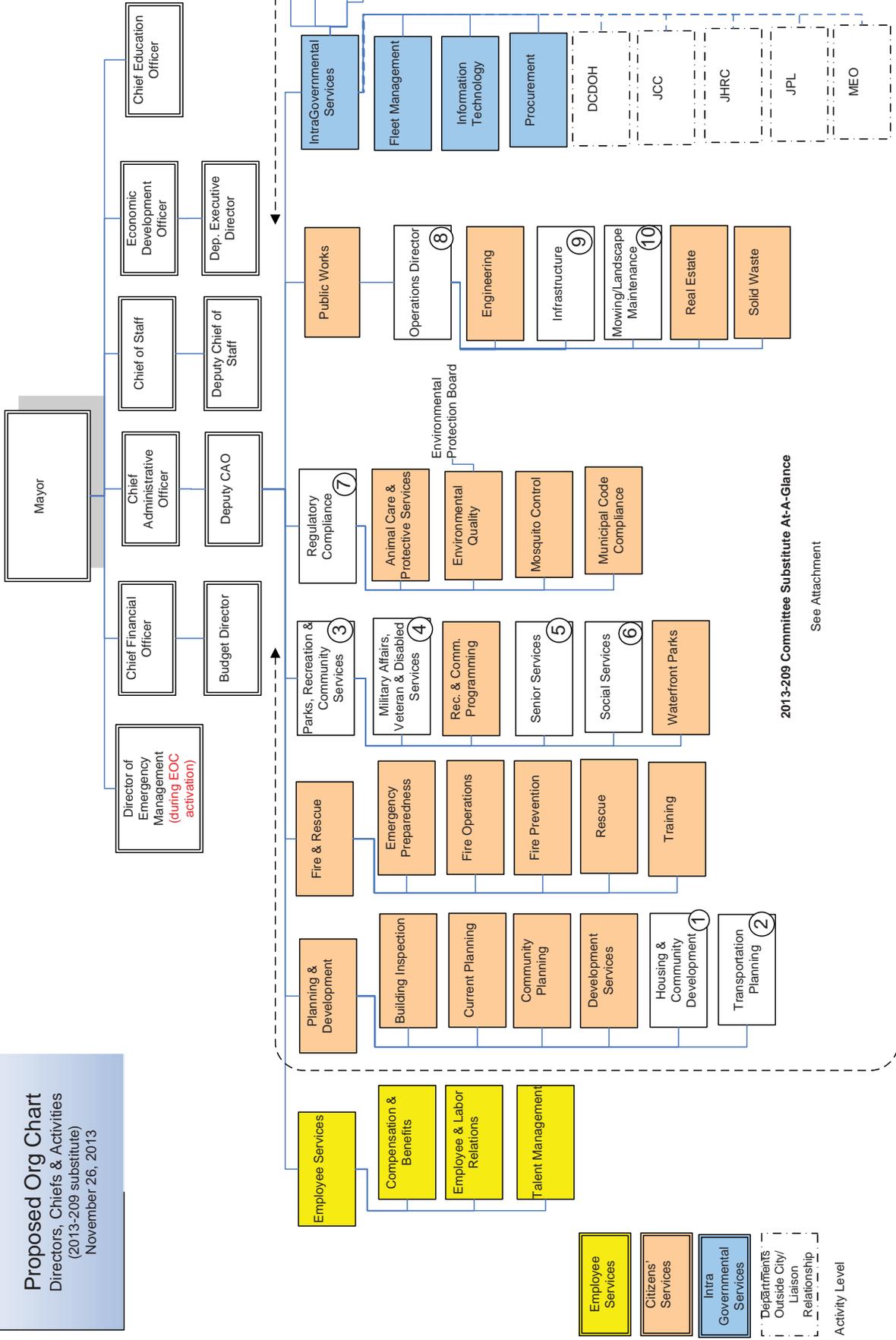
Sec. 55.203. Equal Business Opportunity Office.

The Equal Business Opportunity Office is hereby merged into the OED, and the responsibilities set forth below shall be managed by the OED officer. All employees within the EBO office shall become employees within OED, which shall be responsible for deployment and administration of [Chapter 126](#), Part 6, and shall:

- (a) Process certification applications;
- (b) Assist the Economic Development Officer in implementing participation JSEB and MBE goals on a project by project basis;
- (c) Monitor City projects for compliance with the requirements of [Chapter 126](#), Jacksonville Ordinance Code;
- (d) Report on the expenditure of City funds paid to certified companies;
- (e) Assist in the resolution of disputes between City vendors regarding issues of payment, performance and overall contract compliance;
- (f) Provide support services to assist certified vendors in their efforts to secure training, bonding and access to capital pursuant to Sections [6A](#) and [6B](#) in [Chapter 126](#), Jacksonville Ordinance Code; and
- (g) Perform the various duties defined in and/or required by [Chapter 126](#), Jacksonville Ordinance Code.

(Ord. 2012-212-E, § 3)

Proposed Org Chart
 Directors, Chiefs & Activities
 (2013-209 substitute)
 November 26, 2013



2013-209 Committee Substitute At-A-Glance

See Attachment

2013-209 Committee Substitute

Employee Services
Citizens' Services
Intra Governmental Services
Departments Outside City/ Liaison Relationship
 Activity Level