

LEGISLATIVE FACT SHEET

DATE: 02/08/22

BT or RC No: BT 22-256
(Administration & City Council Bills)

SPONSOR: Neighborhoods/Environmental Quality Division/Environmental Protection Board
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation: James Richardson

Provide Name: James Richardson

Contact Number: 904-255-7213

Email Address: jrichard@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide: Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words - Maximum of 1 page.)

To appropriate fund balance from the Environmental Protection Fund to continue a joint project by Jacksonville University, the University of North Florida and other educational institutions to produce an annual report regarding the health of the river. This funding will support the fifteenth edition of the annual report. A waiver of ordinance code sections 111.755 and 360.602 is being requested to allow the use of the Environmental Protection Fund for continued funding of the State of the River Reports. A waiver of Section 126.107(g), Ordinance Code, is also being requested for the procurement of supplies or services, as the Agreement is with Jacksonville University.

APPROPRIATION: Total Amount Appropriated \$96,956.00 as follows:

List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding	From: Environmental Protection Fund - Fund Balance	Amount: \$96,956.00
	To: Environmental Protection Board Trust Fund	Amount: \$96,956.00
Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The funding will come from the Environmental Protection Trust Fund for an annual State of the River Report. The Jacksonville University will complete this project with no General Fund contribution.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Justification of Emergency: If yes, explanation must include detailed nature of emergency.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Fiscal Year Carryover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Note: If yes, note must include explanation of all-year subfund carryover language.</p> <div style="border: 1px solid black; padding: 2px;">Through FY2023</div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.</p>
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?</p> <div style="border: 1px solid black; padding: 2px;">The Neighborhoods Department will provide oversight.</div>
Related RC/BT?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Attachment: If yes, attach appropriate RC/BT form(s).</p>
Waiver of Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; padding: 2px;">Waive 111.755 and 360.602 to allow for the continuation funding. Waive 110.112 to allow for the advance of City funds as the initial payment is before the completion of the project.</div>
Code Exception?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; padding: 2px;">Legislation will be specifically for Jacksonville University to provide services. For this reason, an exception to Section 126.107(g), Ordinance Code (supplies or services to be provided by those specifically prescribed within authorizing legislation that appropriates the same), is required.</div>
Related Enacted Ordinances?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.</p> <div style="border: 1px solid black; padding: 2px;">Ordinance 2008-1059-E, Ordinance 2010-441, Ordinance 2013-138, Ordinance 2015-773 and 2019-252.</div>

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating

Report is to be provided to the JEPB in September 2022 in order to be released at the annual Environmental Symposium.

Division Chief: Melissa M. Long
(signature)

Date: 2/14/22

Prepared By: [Signature]
(signature)

Date: 2/8/2022

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Jasmine Jordan, Budget Office, St. James Suite 325

Thru: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor
(Name, Job Title, Department)

Phone: 255-5006

E-mail: rachelz@coj.net

From: Bryan Mosier, Director, Neighborhoods Department

Initiating Department Representative (Name, Job Title, Department)

Phone: 255-7005

E-mail: Bmosier@coj.net

Primary Contact: Melissa M. Long, P.E., Division Chief, Environmental Quality Division

(Name, Job Title, Department)

Phone: 255-7101

E-mail: melissaL@coj.net

CC: Rachel Zimmer, Intergovernmental Affairs Liaison, Office of the Mayor

Phone: 255-5006

E-mail: rachelz@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480
Phone: 255-5055 E-mail: psidman@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact: _____
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Rachel Zimmer , Intergovernmental Affairs Liaison, Office of the Mayor
Phone: 255-5006 E-mail: rachelz@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No

Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

Environmental Protection Board Meeting Minutes are attached.

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

BACKGROUND WHITEPAPER

Environmental Protection Fund Request for Funding Assistance

STATE OF THE RIVER REPORT FOR THE LOWER ST JOHNS RIVER BASIN Fifteenth Report

Purpose

This bill provides for the following:

- Appropriation of \$96,956 from the Environmental Protection Fund (EPF) which is administered by the Environmental Protection Board (EPB).
- Authorization of contract with JU to produce the report through September 30, 2022.
- Payments of \$96,956 for the Fifteenth River Report as outlined in the Scope of Work
- A waiver of Sections 111.755 and 360.602 Ordinance Code to continue funding of the State of the River Report.
- A waiver of Section 110.112 Ordinance Code to allow for the advance of City funds.
- An exemption from Section 126.107(g) of the Procurement Code to allow a contract with an entity (JU) specifically prescribed in the legislation.

Background

- The River Report is an annual scientific review and analysis of the condition of the LSJRB and its tributaries.
- The River Report analyzes the impact of projects completed through the River Accord, which is focused on restoring the health of the St. Johns River through Nutrient reduction efforts carried out by the City and its Partners (DEP, SJRWMD, and JEA), and provides valuable historical and trend information to guide decision makers into the future.
- The River Report and brochure provides residents, visitors, and government officials a quick and easy way to view the aquatic health of the LSJRB.
- Ordinance 2008-1059-E appropriated EPF monies and authorized the original contract for the First and Second River Report. Ordinance 2010-441 appropriated additional EPF monies and authorized an amended contract for the Third, Fourth and Fifth River Report. Ordinance 2013-138 appropriated additional EPF monies and authorized an amended contract for the Sixth, Seventh and Eighth River Report. Ordinance 2015-773 appropriated additional EPF monies and authorized an amended contract for the Ninth, Tenth and Eleventh River Reports. Ordinance 2019-252 appropriated additional EPF monies and authorized an amended contract for the Twelfth, Thirteenth and Fourteenth River Reports.
- The Research team and JEPB staff are considering options for future funding while continuing to seek funding from other stakeholders.

Description

The Scope of Work will be to write and publish the *Fifteenth* River Report along with a single-page brochure in the summer of 2022.

- The River Report is written by a team of academic researchers from JU, UNF, Valdosta State University and Florida Southern College. An extensive peer review process for the River Report is used including local stakeholders and an expert panel with the expertise and experience in various disciplines to address the multi-faceted nature of the data.

- The team will continue utilization of a web-based platform to enhance the usability of the report
- To make the Report more user-friendly, the tributaries section will be reworked to include recent annual data and advisories so that the public can better assess current conditions and data gaps.
- New information from studies on microbial source tracking will be included.

Funding

The Environmental Protection Trust Fund, which was created in 1984, was established under the Board's purview to be used by the Board for the purposes described in [Section 360.602 O.C.](#) The primary established purposes for use of the Fund include:

- Restoration of polluted areas subject to Board actions.
- Restoration where costs exceeded amount recovered from responsible party in judicial or administrative proceedings.
- To recover the costs and expenses of the Board in administering the Fund.
- To pay for the removal (emergency) or remedial actions (cleanup).
- To fund education and outreach activities, studies, surveys, tests and investigations pertaining to the duties of the Board.

The Environmental Protection Fund consists of non-General Revenue monies collected by the City pursuant to O.C. Chapter 362, Chapter 368 or Chapter 376. Sources of Fund revenue include:

- Fines collected by the City
- Moneys received as a result of an administrative or judicial proceeding
- Moneys recovered as punitive damages
- Moneys recovered as civil penalties

The EPB has authorized funding, pursuant to Section 111.755 O.C., in the amount of \$96,956 to support the project. The EPB unanimously approved the project at its January 2022 meeting.