

# City of Jacksonville

117 W Duval St  
Jacksonville, FL 32202



## Meeting Minutes

Monday, June 1, 2020

2:00 PM

Virtual Meeting

## Transportation, Energy & Utilities Committee

*Terrance Freeman, Chair*  
*Ron Salem, Pharm. D., Vice Chair*  
*Danny Becton*  
*Aaron Bowman*  
*LeAnna Cumber*  
*Garrett Dennis*  
*Al Ferraro*

*Legislative Assistant: Vonya Balogh*  
*Legislative Assistant: Jessica Smith*  
*General Counsel: Paige Johnston*  
*Research Assistant: Anthony Baltiero*  
*Council Auditor's Office: Phillip Peterson*  
*Administration: Rachel Zimmer*  
*Planning Dept.: Laurie Santana*

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purposes, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Meeting Convened: 2:00 p.m.**

**Meeting Adjourned: 3:56 p.m.**

**Attendance: Anthony Baltiero, Yvonne Mitchell - Council Research; Paige Johnston - Office of General Council; Sharonda Davis, Vonya Balogh – Legislative Services; Phillip Peterson - Council Auditor's Office; Melanie Wilkes and Steve Cassada – Council Support Services**

**JTA Presentation – Jessica Shepler, Assistant Vice of President Public Affairs, and Adrew Rodgers, Assistant Vice President of Construction and Capital Programs provided a presentation of the state of multiple JTA projects with focus on the San Pablo Road and Kernan Blvd. projects. Ms. Shepler started by providing a brief overview and scope of the presentation. She provided information on the JTA Mobility Works program focusing on the program’s history. Mr. Rodgers continued the presentation by discussing multiple aspects of the JTA Mobility Works Program, including program status, program funding, and an overall program summary. The status update included all the active projects under the Mobility Works Program noting the overall scope and budget for each. Following the overview of each program, Mr. Rodgers provided information about the different Construction and Capital Programs currently underway across the city. Following the presentation, Chair Freeman opened the floor to questions. CM Salem asked about the usage of the 6-cent gas tax, what the maximum the tax could be, and what are some examples of gas tax amounts from neighboring areas. Ms. Shepler said that the maximum amount the gas tax can be is twelve (12) cents (\$0.12) and that she would later provide information about the gas tax from neighboring areas. CM Dennis asked if the City were to utilize the full 12-cent gas tax, what could the additional six (6) cents be used for and asked about JTA’s procurement process as it relates to the inclusion of small and emerging minority business bids and whether or not the inclusion of the aforementioned businesses is an “encouragement” or a “mandate”. Ms. Shepler said that the gas tax can be used mainly for infrastructure purposes. She said that she would send additional information about the detailed specifics of what the gas tax can be used for. Ms. Shepler said that they do have an “encouragement” to pursue bids from new and emerging minority businesses and that their programs currently meet the requirements of the “encouragement” with about 30% of the bids meeting the requirements. CM Dennis followed up asking if the 30% of businesses are truly diverse or just made up of the same companies. Chair Freeman interjected to note that this presentation has to close due to the next presentation and agenda items. CM Bowman said that he has information from the Council Auditor’s Office that will answer many of the questions that were raised during the presentation and said that he will send that information in an email to the committee. There were brief technical difficulties in setting up the next presentation. During the wait, Phillip Peterson, Council Auditor’s Office, provided much of the information that CM Bowman was referencing in his previous comments.**

**TPO Presentation – Wanda Forrest, North Florida Transportation Planning Organization, provided a presentation regarding the Draft Transportation Improvement Program (TIP) for fiscal years 2020/2021 – 2024/2025. Ms. Forrest provided a brief overview of TIP and discussed topics, including scheduled public meetings, the plan approval date of 06/11/2020, and briefly talked about multiple projects from across the city. These projects include US 301 from Clay, Lem Turner Road from Soutel Drive to Nassau, US 17 from State St. to the Trout River, and others. Following the presentation, Chair Freeman opened the floor to questions. CM Salem asked if the projects that were presented are fully funded and if they were predominantly Department of Transportation (DOT) projects. Ms. Forrest said that all the presented projects are fully funded and predominantly DOT. CM Ferraro asked about the specific area that will be resurfaced along the Wonderwood Expressway project area. Ms. Forrest said that the resurfacing will cover the roughly seven (7) miles from Jane Street to Sandcastle Lane. CM Ferraro asked if “fully funded” refers to just the resurfacing costs or additional costs needed by the roadway such as piping and drainage. Autumn Martinage, Department of Transportation, said that she believes that a second complimentary project is in the works to address additional needs to the roadway that should include things like piping and drainage. Ms. Martinage said that she would get that specific information to the committee.**

**Item/File No.**

**Title History**

1. [2019-0555](#) ORD Auth the Approp of \$1,725,422.19 in funding from the City’s General Fund, General Svc. Dist. Fund Balance, in order to provide funding for the repayment by the City of funds received from the State of FL Dept of Environmental Protection, Pursuant to that certain land & water conservation Fund Agreement No.12-00182 btwn the City & the State of FL (“Grant Agreement”), to allow for the future dev of Metropolitan Park; Apv & Auth Mayor & Corp Sec to Exec any Grant Agreemt termination docs & othr agreemts as req by law.  
(B.T. 19-112)(Lotzia)(Req of Mayor)  
8/13/19 CO Introduced: NCSPHS, TEU, F  
8/19/19 NCSPHS Read 2nd & Rerefer  
8/19/19 TEU Read 2nd & Rerefer  
8/20/19 F Read 2nd and Rerefer  
8/27/19 CO PH Read 2nd and Rereferred; NCSPHS,TEU,F  
9/5/19 NCSPHS Meeting Cancelled/Defer  
9/5/19 TEU Meeting Cancelled/Defer  
3/16/20 NCSPHS Meeting Cancelled-COVID-19/ Emergency-No Action  
3/16/20 TEU Meeting Cancelled-COVID-19/ Emergency-No Action  
3/17/20 F Meeting Cancelled-COVID-19/ Emergency-No Action  
3/24/20 CO Meeting Cancelled-COVID-19/Emergency-No Action  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 8/27/19

**DEFER (At request of Administration)**

2. [2019-0556](#) ORD Estab the “Bay Street Innovation Corridor”; Req City Depts & Approp Independent Authorities to estab policies & procedures to streamline the adoption & implementation of New technologies within the Corridor & to consider adding advanced technologies when repairs or maint of public r/w’s or facilities take place within the Corridor. (Sidman) (Introduced by CM Bowman)  
8/13/19 CO Introduced: TEU  
8/19/19 TEU Read 2nd & Rerefer  
8/27/19 CO PH Read 2nd and Rereferred;TEU  
9/5/19 TEU Meeting Cancelled  
3/16/20 TEU Meeting Cancelled COVID-19/Emergency-No Action  
3/24/20 CO Meeting Cancelled COVID-19/Emergency-No Action  
6/1/20 TEU Withdraw 7-0  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 8/27/19

**WITHDRAW**

**COMMENTARY: CM Bowman made a motion to withdraw the bill noting that due to the uncertainty of a completion date and with the new council starting in July it would be best to withdraw the bill and in three (3) to six (6) months reevaluate and submit a new bill. The bill was withdrawn unanimously.**

3. [2020-0058](#) ORD Apv & Auth Jax Aviation Authority (JAA) to Withdraw from Risk Mgmt. Insurance Prog. Operated by City of Jax in accordance w/Sec 128.106, Ord Code, Prov for Return of JAA Funds; Prov for Prospective Effec Withdrawal Date. (Sidman) (Req of JAA)  
1/28/20 CO Introduced: TEU, F  
2/3/20 TEU Read 2nd & Rerefer  
2/4/20 F Read 2nd & Rerefer  
2/11/20 CO PH Read 2nd & Rereferred;TEU,F  
3/16/20 TEU Meeting Cancelled COVID-19/Emergency-No Action  
3/17/20 F Meeting Cancelled COVID-19/Emergency-No Action  
3/24/20 CO Meeting Cancelled COVID-19/Emergency-No Action  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 2/11/20

**DEFER (At the request of JAA)**

4. [2020-0107](#) ORD Approp \$497,195.63 from Retained Earnings in Subfund 561 to Subfund 561 Self-Insurance Acct to Return Excess FY 2019 Gen Liability Loss Provision to JAA in Amt of \$9,035.70 & Return Excess Workers' Comp Loss Provision to JAA in Amt of \$488,159.93. (B.T. 20-049) (McCain) (Req of Mayor)  
2/11/20 CO Introduced: TEU, F  
2/18/20 TEU Read 2nd & Rerefer  
2/19/20 F Read 2nd and Rerefer  
2/25/20 CO PH Read 2nd and Rerefered;TEU,F  
3/16/20 TEU Meeting Cancelled COVID-19/Emergency-No Action  
3/17/20 F Meeting Cancelled COVID-19/Emergency-No Action  
3/24/20 CO Meeting Cancelled COVID-19/Emergency-No Action  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601- 2/25/20

**DEFER (At the request of JAA)**

5. [2020-0245](#) ORD MC-Relating to the Powers of the City Council & JEA; Setting a Public Referendum; Creating a New Sec. 4.04 & Amending Sec. 21.08 of the Charter of the City of Jax , in order to require that no Bonus or Incentive Program shall be Implemented unless Apvd Annually by the City Council; Providing for Referendum Approval; Providing for a Financial Impact Statement to be Developed & Placed on the ballot; Directing the Supervisor of Elections to Place the Referendum Question on the 2020 General Election Ballot on 11/3/2020. (Sidman) (Introduced by CM Salem)
- 5/12/20 CO Introduced: TEU, F, R  
5/18/20 TEU Read 2nd & Rerefer  
5/19/20 F Read 2nd & Rerefer  
5/19/20 R Read 2nd & Rerefer  
5/26/20 CO PH Read 2nd & Rerefered;TEU,F,R  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 5/26/20

**DEFER (At request of CM Salem)**

**COMMENTARY: CM Salem provided clarification of the bill regarding the JEA short-term incentive plan noting that this bill would require that any incentive plan will be put into an ordinance and presented to the City Council for approval. CM Salem noted the process that would need to happen that would lead any incentive plan to a referendum vote by the general public. CM Bowman aired his concerns about the bill noting the importance of the independent authorities' independence from Council or Administration interference. Cm Bowman asked for someone from OGC to provide legal guidance on the possibility of the Council being able to dictate actions of the independent authorities. Peggy Sidman, Office of General Council, noted the reasoning for the legislation to come through as a referendum noting the changes that are being considered by the council to Article 21 of the City Charter reading JEA. CM Dennis shared his support of the bill and CM Salem's approach to legislation and added that the provisions of the bill should apply to all of the independent authorities. CM Ferraro asked what entities would benefit from this bonus. Jody Brooks, JEA Chief Legislative Counsel, said that the bonuses are only for the employees of JEA. CM Ferraro asked which JEA employees would be eligible for the bonus. Ms. Brooks said that all JEA employees except for the CEO are eligible for the bonus. CM Ferraro asked if employees would get different bonuses depending on their position. Ms. Brooks said that there will be different bonus levels based on the structure of the bonus. CM Becton asked how the bonuses impact the Collective Bargaining Agreements (CBA) of the JEA employees. Ms. Brooks said that she is not sure of the answer to that question, but believes that the CBAs, the provisions in the Charter, and the bonuses would all have to be in agreement. CM Becton aired concerns over the bill noting that their may be complications since the employee CBAs are every three (3) years and the bonuses are annual. Paul McElroy, JEA, said that it is his belief that this bonus plan is outside of the employee CBAs because the bonuses are incentive-based and not guaranteed**

compensation. CM Becton asked if this bill only addresses a certain benefit and not others. CM Salem explained that all classifications of employees must receive the bonus whether they are union, appointed, or senior staff. CM Salem opined on comments made by other Councilmembers noting his full support of the newly appointed JEA Board and specifics about approving a proposed incentive bonus plan. CM Salem commented on his reluctance for the inclusion of the additional independent authorities noting their quasi-state-municipal-county status and addressed the percentage-based structure of the bonus plan. Ariel Cook, Office of General Counsel, joined the meeting to answer questions specific to Union and CBA implications of this bill. Ms. Cook addressed a previous question from CM Becton stating that the timing of future CBAs, or at least the section that deals with bonuses, will need to be addressed annually. Ms. Cook said that there could be room in the interpretation that the Council will have to approve any bonus plan. She said that the Unions would be able to negotiate the bonuses prior to Council approval with the understanding that it is tentative upon approval. Mr. McElroy said that requiring the CBAs to be renegotiated annually would be problematic and that he would have to relay this information to the Union representative for a reevaluation of the plan. Sean Granat, Office of General Counsel, joined the meeting to try an address the bonus plan/CBA issue. Mr. Granat said that it is his belief that the Unions have essentially waived the right to bargain for incentives in the current CBAs and have left the incentive decisions up to JEA management. CM Ferraro asked CM Salem to consider deferring the bill until some of the questions that have been presented can be fully answered. CM Salem asked the Office of General Counsel to note any issues to the referendum process if this bill is deferred. Ms. Sidman said that to be on the November ballot, the bill would have to have full Council approval by 7/28/2020. CM Salem moved to defer the bill. Chair Freeman deferred the bill at the request of CM Salem. CM Bowman asked Mr. McElroy to opine on whether or not he feels this is a good bill for JEA and asked CM Salem to go over the process for implementation if the bill is approved by the referendum. Mr. McElroy opined on the bill noting that the JEA board does not currently have a bonus plan for the fiscal year 2019/2020. He continued by discussing the current posture of the JEA board and takeaways from their most recent meeting. CM Salem explained the process of implementing the incentive bonus plan, if approved.



6. [2020-0262](#) ORD re Chapt 745 (Addressing and Street Naming Regulations) Ord Code; Renaming Portion of Bonneval Rd Extending from J. Turner Butler Blvd to Philips Hwy to "Bentley Road"; Directing Legislative Srvcs Div to Forward Ord to Planning & Developmt Dept for Processing, Implementation & Coordination with 911 Emergency, Fire & Rescue Dept, the Post Office & Other Affected Agencies & Organizations. (Dist 11-Becton) (Pollock) (Introduced by CM Becton)  
5/26/20 CO Introduced: NCSPHS, TEU  
6/1/20 NCSPHS Read 2nd & Rerefer  
6/1/20 TEU Read 2nd & Rerefer  
TEU PH Pursuant to Chapt 745 Ord Code - 6/15/20  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 6/9/20

**READ 2ND & REREFER**

7. [2020-0266](#) ORD-MC Amend Pt 16 (Truck Route Regulations), Chapt 804 (Jacksonville Traffic Code), Ord Code, to Add New Sec 804-1607 (Certain Dump Trucks Prohibited) to Prohibit Operators of Dump Trucks with 10 or More Wheels from Driving on Traveling Over or Using that Portion of Roadways from Northernmost Point of Sawpit Rd to Cedar Point Rd, W. on Cedar Point Rd to New Berlin Rd, & S. on New Berlin Rd Until its Termination at Heckscher Dr. in Jax; Directing Jax Sheriff's Office to Issue Warning for 1st 6 Months After Effective Date of this Ord. (Pollock) (Introduced by CM Ferraro)  
5/26/20 CO Introduced: NCSPHS, TEU  
6/1/20 NCSPHS Read 2nd & Rerefer  
6/1/20 TEU Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 6/9/20

**READ 2ND & REREFER**

**COMMENTARY: CM Ferraro provided clarification of the bill noting the issues regarding trucking in the area and right-of-way issues. He noted on the deteriorated condition of the roadway in question and the need to resurface the road to better handle the truck traffic in the area.**

8. [2020-0267](#) ORD Amend Ord 2010-725-E, as Amended by Ord 2015-233-E, by Amending the Boundary & Stated Purpose of Dist; Providing Retroactive Applicability; Providing All Other Aspects of Ord 2010-725-E Remain Unchanged. (Johnston) (Introduced by CM Ferraro)  
5/26/20 CO Introduced: NCSPHS, TEU, JWW  
6/1/20 NCSPHS Read 2nd & Rerefer  
6/1/20 TEU Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 6/9/20

**READ 2ND & REREFER**

**COMMENTARY:** Chair Freeman opined on the current social culture and said that he is adamantly against riots, violent protests and excessive police brutality. He shared his views on the challenges that young people face and opined on the state of racism in Jacksonville and urged his colleagues to consider the recent Charter Revision Commission recommendations as a catalyst for change.

**NOTE:** The next regular meeting will be held Monday, June 15, 2020.

**\*\*\*\*\*Note: Items may be added at the discretion of the Chair.\*\*\*\*\***

Pursuant to the American with Disabilities Act, accommodations for persons with disabilities are available upon request. Please allow 1-2 business days notification to process; last minute requests will be accepted; but may not be possible to fulfill. Please contact Disabled Services Division at: V 904-255-5466, TTY-904-255-5476, or email your request to KaraT@coj.net.

### **Rollcall**

**Present:** 7 - Chair Terrance Freeman, Vice Chair Ron Salem, Council Member Danny Becton, Council Member Aaron Bowman, Council Member LeAnna Cumber, Council Member Garrett Dennis and Council Member Al Ferraro

Minutes: Anthony J. Baltiero, Council Research Assistant  
abaltiero@coj.net (904) 255-5157  
Posted June 8, 2020 7:00 a.m.