

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Agenda - Revised Marked

Wednesday, September 4, 2024

2:00 PM

Council Chamber,
1st Floor, City Hall

Transportation, Energy & Utilities Committee

Will Lahnen, Chair

Ju'Coby Pittman, Vice Chair

Matt Carlucci

Tyrone Clark-Murray

Reggie Gaffney, Jr.

Mike Gay

Jimmy Peluso

Legislative Assistant: Vanessa Galan

Council Auditor's Office: Edward Linsky

Council Research: Jeff Clements

Office of General Counsel: Carla Lopera

Administration: Bill Delaney

Planning Dept.: Laurie Santana

Meeting Convened:

Meeting Adjourned:

Attendance:

Item/File No.

Title History

1. [2024-0436](#)
NCSPHS
SUBSTITUTE

Contact:
Brittany Norris

See AUDITOR
RECOMMENDED
AMENDMENT

ORD Granting to Peoples Gas System, Inc. (Peoples Gas), Its Successors & Assigns, a Non-Exclusive Natural Gas Franchise Agrmt for Use of the Rights-of-Way of the City of Jax; Apv, & Auth the Mayor & Corp Sec to Execute & Deliver, That Certain Natural Gas Franchise Agrmt btwn the City & Peoples Gas to Prov the Terms & Conditions Under Which Said Franchise May be Exercised; Prov for City Oversight by the Planning & Dev Dept, Dev Svcs Div; Directing the Legislative Services Div to Forward the Enacted Ord to the Dev Svcs Div of the Planning & Dev Dept (Staffopoulos) (Introduced by CM Salem)

5/28/24 CO Introduced: NCSPHS, F, TEU
6/3/24 NCSPHS Read 2nd & Rerefer
6/4/24 F Read 2nd & Rerefer
6/4/24 TEU Read 2nd & Rerefer
6/11/24 CO PH Read 2nd & Rerefer
9/3/24 NCSPHS Substitute/Approve 7-0
9/4/24 F Substitute/Approve 7-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 6/11/24

NCSPHS SUBSTITUTE

- 1. Change oversight to the Finance Department**
- 2. Include waiver of Section 711.318 (Publication costs) which requires the applicant assume the cost of publication**
- 3. Include waiver of applicable provisions of Chapter 711 (City Rights-of-Way) in direct conflict with proposed agreement**
- 4. Attach Revised Exhibit 1 (Agreement) to reflect negotiated agreement terms, including:**
 - a. 10-year initial term with two 10-year renewal options requiring Council approval**
 - b. Future changes to City's permitting procedures will be prospectively applicable to franchisee**
 - c. Require Peoples Gas to use commercially reasonable efforts to coordinate with the City on matters impacting the rights-of-way**
 - c. 18% interest to be applied to late payments or underpayments**
 - d. Increase of franchise fee upon an increase of the same in a surrounding municipality, subsequent to City Council Approval, but no sooner than 12 months after notification from Company**
 - e. City to be compensated, up to \$20,000, for the cost of any audit finding an amount owed to the City of 5% or more in addition to interest at a rate 10% on the amount underpaid**
 - f. Waive the applicability of Chapter 711 (City Rights-of-Way)**

AUDITOR RECOMMENDED AMENDMENT

Attach Revised Exhibit 1 (Agreement) to include:

- a. Specific language from Section 711.321 (Amount and payment of fees) to require, at a minimum, a revenue letter audited by grantee's independent certified public accountant, verifying revenues generated in the Jacksonville franchise area**
- b. Specific language from Section 711.331 (Authority for use of City rights-of-way/permits) to require the grantee file with their permit application to the City, bonds solely for the protection of the City**

2. [2024-0465](#) ORD Approp \$1,278,372.79 Including \$28,372.79 from Loss Deductible Revenue & a Transfer of \$1,250,000.00 Within the Public Bldgs Allocations Fund for Deferred Maintenance Needs at Various City Facilities (B.T. 24-119)

WITHDRAW

At request of the Administration

(Dillard) (Req of Mayor)
6/11/24 CO Introduced: F, TEU
6/18/24 F Read 2nd & Rerefer
6/18/24 TEU Read 2nd & Rerefer
6/25/24 CO PH Read 2nd & Rerefer
9/4/24 F Withdraw 6-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 6/25/24

3. [2024-0543](#) ORD re Ch 745 (Addressing & Street Naming Regulations), Ord Code; Renaming Confederate St Extending btwn Hubbard St & Liberty St to “Frazier Place”; Recognizing the Achievements of Benjamin McVickers Frazier, Jr.; Waiving the Requirement of Subsec 745.105 (i)(2), Ord Code, that the Honoree Be Deceased for at Least 5 Yrs; Directing the Legislative Svcs Div to Forward a Copy of This Ord, Once Enacted, to the Planning & Dev Dept for Processing, Implementation, & Coordination Various City Depts & Other Affected Agencies & Orgs (Dist. 7-Peluso) (Pollock) (Introduced by CM Peluso) (Co-Sponsors CMs Johnson, Clark-Murray, Carlucci, & Pittman)
7/23/24 CO Introduced: NCSPHS, R, TEU
8/6/24 TEU Read 2nd & Rerefer
8/7/24 NCSPHS Read 2nd & Rerefer
8/7/24 R Read 2nd & Rerefer
8/13/24 CO PH Read 2nd & Rerefer
9/3/24 NCSPHS Approve 4-3 (J. Carlucci, Miller, Salem)
9/3/24 R Approve 4-3 (Miller, Howland, Gay)
9/3/24 R Reconsider/Approve 3-4 (Fail) (Miller, Howland, Freeman, Gay)
TEU PH Pursuant to Ch 745 Ord Code - 8/20/24, 9/4/24
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 8/13/24

Scrivener’s

1. Pg. 2, line 15 and 22, strike “(j) (10)” and insert “(i) (6)”
2. Pg. 3, line 16, strike “Place” and insert “Place.”
3. Pg. 3, line 26, strike “city” and insert “City”

- Waives Section 745.105(i)(2) requiring honoree be deceased for at least five years

4. [2024-0544](#) ORD re Ch 745 (Addressing & Street Naming Regulations), Ord Code; Naming an Existing Private Road Extending from Heckscher Dr to a Dead End to “J.D. Thompson Street”; Recognizing the Achievements of J.D. Thompson; Waiving the Requirement of City Addressing & Street Naming Policy that the Honoree Be Deceased for at Least 5 Yrs; Directing the Legislative Svcs Div to Forward a Copy of This Ord, Once Enacted, to the Planning & Dev Dept for Processing, Implementation, & Coordination Various City Depts & Other Affected Agencies & Orgs (Dist. 2-Gay) (Pollock) (Introduced by CM Gay)
PUBLIC HEARING
OPEN & CONTINUE
to 9/17/24

DEFER

At request of
CM Gay
7/23/24 CO Introduced: NCSPHS, R, TEU
8/6/24 TEU Read 2nd & Rerefer
8/7/24 NCSPHS Read 2nd & Rerefer
8/7/24 R Read 2nd & Rerefer
8/13/24 CO PH Read 2nd & Rerefer
TEU PH Pursuant to Ch 745 Ord Code - 8/20/24, 9/4/24
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 8/13/24

5. [2024-0553](#) ORD Approp \$50,000 from the Gen Fund Operating, Clean Communities Initiative Contingency Acct to the Gen Fund Operating, Specialized Equipment Acct within the Dept of Public Works for the Purchase of Trash Receptacles from Big Belly Solar, LLC, to Be Installed Along Commercial Corridors in Council Dist. 7 at Specific Locations Identified Herein; Prov for Carryover to FY 24-25; Appvl & Auth to Execute an Agrmt with Big Belly Solar, LLC, for the Purchase & Installation of Trash Receptacles; Invoking the Exemption in Sec 126.108(g) (Exemptions from Competitive Solicitation), Subpt A (General Regulations), Pt 1 (General Regulations; Ethics & Transparency in Public Contracting), Ch 126 (Procurement Code), Ord Code; Prov for Oversight by the Dept of Public Works (Staffopoulos) (Introduced by CM Peluso) (Co-Sponsor CM Johnson)
Contact:
CM Peluso

2/3 vote
required by
Council
7/23/24 CO Introduced: R, F, TEU
8/6/24 F Read 2nd & Rerefer
8/6/24 TEU Read 2nd & Rerefer
8/7/24 R Read 2nd & Rerefer
8/13/24 CO PH Read 2nd & Rerefer
9/3/24 R Approve 7-0
9/4/24 F Approve 7-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 8/13/24

6. [2024-0555](#) ORD Naming the City-Owned Bldg Located at 515 Julia St, Jax, FL 32202, Pursuant to Sec 122.105 (Public Buildings, Public Facilities & Public Parks Naming & Renaming Procedures), Ord Code, to Be Known as the “Gary F. Keys, Sr. Fire Rescue Headquarters” (Dist. 7-Peluso) (Staffopoulos) (Introduced by CM White) (Co-Sponsors CMs Clark-Murray, Miller & J. Carlucci)
- AMEND**
- Contact:**
CP White
- 7/23/24 CO Introduced: NCSPHS, TEU
8/6/24 TEU Read 2nd & Rerefer
8/7/24 NCSPHS Read 2nd & Rerefer
8/13/24 CO Read 2nd & Rerefer
8/27/24 CO PH Addnt'l PH 9/10/24
9/3/24 NCSPHS Amend/Approve 8-0
TEU PH Per Sec. 122.105 - 8/20/24
Public Hearing Pursuant to Sec. 122.105, Ch 166, F.S. & C.R. 3.601 - 8/27/24
Public Hearing Add. Per Sec. 122.105 - 9/10/24

AMENDMENT

- 1. Attach Planning & Development Department Historic Preservation Section report as new exhibit**
- 2. Reflect that, in accordance with Section 122.105(c), failure of the Historic Preservation Commission to provide an advisory recommendation on the renaming proposal is deemed consent to the naming proposal**

7. [2024-0622](#)

AMEND

Contact:

James Richardson

ORD Approp \$113,609.00 in Fund Balance from the Environmental Protection Fund to Provide Funding for the 17th State of the River Report for the Lower St. Johns River Basin; Prov for Waiver of Sec 111.755 (Environmental Protection Fund), Pt 7 (Environment & Conservation), Ch 111 (Special Revenue & Trust Accounts), Ord Code, to Auth Utilization of Funds from the Fund to Continue Funding the Annual State of the River Report; Prov for Waiver of Sec 360.602 (Uses of Fund), Pt 6 (Environmental Protection Fund), Ch 360 (Environmental Regulation), Ord Code, to Allow for the Utilization of Funds from the Fund to Continue Funding the Annual State of the River Report; Apv, & Auth the Mayor, or Her Desig, & the Corp Secretary to Execute & Deliver an Agrmt btwn the City & JU for the Proj; Invoking the Exemption in 126.107(g) (Exemptions), Pt 1 (General Regulations), Ch 126 (Procurement Code), Ord Code, to Direct Contract with JU for the Proj; Waiving Sec 118.107 (Nonprofits to Receive Funding through a Competitive Evaluated Award Process), Pt 1 (General Provisions), Ch 118 (City Grants), Ord Code, to Allow a Direct Contract with JU; Prov for Oversight by the Neighborhoods Dept, Environmental Quality Div; Requiring Annual Reports (B.T. 24-130) (Dillard) (Req of Mayor) (JWC Apv) (Co-Sponsor CM Johnson)

8/13/24 CO Introduced: R, F, TEU, JWC

8/19/24 R Read 2nd & Rerefer

8/20/24 F Read 2nd & Rerefer

8/20/24 TEU Read 2nd & Rerefer

8/27/24 CO PH Read 2nd & Rerefer

9/3/24 R Amend/Approve 7-0

9/4/24 F Amend/Approve 6-0

Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 8/27/24

AMENDMENT

1. Place revised Agreement on file to revise effective date to May 1, 2024, update expenditure reporting date, and correct scrivener's errors

2. Attach Revised Exhibit 1 (BT) to correct account code

3. Correct scrivener's errors

• Waives Code Sections 111.755 (Environmental Protection Fund) and 360.602 (Uses of Fund) to allow for the expenditure of Environmental Protection Fund dollars on continuing studies

• Waives Code Sec. 118.107 (Nonprofits to receive funding through a competitive evaluated award process) to allow for a direct contract with Jacksonville University

8. [2024-0693](#)
2nd
ORD Approp \$986,000.00, Including (1) \$493,000.00 From the Proj Titled Nungezer Road to the Proj Titled San Mateo Elementary School Sidewalk (San Mateo Proj) to Pay for the Completion of the San Mateo Proj, & (2) \$493,000.00 From the Authorized Capital Projs Fund to the Local Option & Constitutional Gas Taxes Fund With Respect to the Cedar Point/Sawpit Rd (New Berlin to Shark) Proj (Cedar Point Proj) & Updating Prior Approps to Reflect Actuals; Amend the 24-28 5-Yr CIP Appvd by Ord 2023-505-E to Reflect this Approp of Funds to the Projs; Prov for Oversight by the Engineering & Construction Mgmt Div of the Dept of Public Works (B.T. 24-140) (Dillard) (Req of Mayor)
8/27/24 Co Introduced: NCSPHS, F, TEU
9/3/24 NCSPHS Read 2nd & Rerefer
9/4/24 F Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601-9/10/24

9. [2024-0695](#)
EMERGENCY
Contact:
CM Lahnen /
Nina Sickler
2/3 vote
required by
Council
ORD Approp \$2,395,000.00 from the Public Bldg Allocations Fund, including \$2,366,627.21 from the Public Bldgs Utilities, Electricity - Utility Bills Acct & \$28,372.79 from the PWPB Bldg Maintenance - Public Bldgs - Other Governmental, Contribution - Loss Deductible Acct, to Pay the Costs for Electrical Repairs to the St. James Bldg (City Hall) by Miller Electric Company; Prov for Proj Oversight by the Dept of Public Works, Public Bldgs Div; Req 1 Cycle Emergency Passage (Staffopoulos) (Introduced by CM Lahnen) (Co-Sponsor CM Miller)
8/27/24 CO Introduced: F, TEU
9/4/24 F Emergency/Amend/Approve 5-0-1 (Freeman)
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 9/10/24

• **The nature of the emergency is that some of the parts needed are expected to take 20 – 30 weeks to receive**

10. [2024-0696](#)
2nd
ORD Closing & Abandoning &/or Disclaiming an Opened, though Unimproved Right of Way of Braddock Home Rd, as Estab in Deed Book 1645, Pg 130 & Deed Book 1654, Pg 418 of the Former Public Records of Duval County, FL, at the Request of EPG Jax LLC; Prov for Appv Subject to Conditions; (District 8-Gaffney, Jr.) (Wilson) (Req of Mayor)
8/27/24 CO Introduced: TEU
TEU PH Pursuant to Sec 336.10, F.S. - 9/16/24
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 9/10/24

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11. [2024-0697](#)
2nd ORD Regarding Installation of a Historic Monument Marker in Honor of Mrs. Johnnie Mae Chappell; Approp \$10,000 from the Council President's Designated Contingency to the Parks, Recreation & Community Svcs - Office of the Dir, Misc Svcs & Charges Acct to Prov Funds for the Design, Fabrication, Installation & Maintenance of a Historic Monument Marker as Described Herein; Providing for Carryover of Funds to 12/31/24; Prov for Reverter of Funds; Auth Installation of a Historic Monument Marker at the Intersection of New Kings Rd & Flicker Ave to Remember & Honor Mrs. Johnnie Mae Chappell; Finding a Public Purpose; Prov for Oversight by Parks, Recreation & Community Svcs Dept & the Dept of Public Works; Directing the Legislative Svcs Div to Forward a Copy of this Ord, Once Enacted, to the Dir of Parks, Recreation & Community Svcs Dept & the Dept of Public Works (Staffopoulos) (Introduced by CM Howland) (Co-Sponsors CMs Johnson, Amaro, Lahnen & Miller)
8/27/24 CO Introduced: R, F, TEU
9/3/24 R Read 2nd & Rerefer
9/4/24 F Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 9/10/24
12. [2024-0700](#)
2nd ORD re the Better Jacksonville Plan (BJP) Set Forth in Ords 2000-572-E, 2000-671-E & 2000-965-E & Revised Per Ord 2005-898-E & Modified Per Ord 2022-416-E; Determining Just Cause & Necessity for an Amdt to the BJP Revised Infrastructure & Transportation Work Prog, Which Amended Revised Work Prog Adds Eligible Projs; Noting the Corresponding Passage of the 24-29 CIP Per Ord 2024-505-E Reflecting the BJP Funding of the Amended Revised Work Prog Projs (Reingold) (Req of Mayor)
8/27/24 CO Introduced: NCSPHS, F, TEU
9/3/24 NCSPHS Read 2nd & Rerefer
9/4/24 F Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 9/10/24
13. [2024-0701](#)
2nd RESO Desig 7407 & 7447 Salisbury Rd, Jax, FL, as a Brownfield Area for Environmental Rehab & Economic Dev; Prov for Notification of a Brownfield Site Rehab Agrmt (R.E. # 152577-0020, 152577-0010, 152577-0050, 152578-0010, 152578-0000) (District 11-Arias) (Harvey) (Req of Mayor)
8/27/24 CO Introduced: NCSPHS, F, TEU
9/3/24 NCSPHS Read 2nd & Rerefer
9/4/24 F Read 2nd & Rerefer
Public Hearings Pursuant to Sec 376.80, F.S.& Ch 166, F.S - 9/10/24 & 9/24/24

NOTE: The next regular meeting will be held Tuesday, September 17, 2024.

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

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