

# City of Jacksonville

117 W. Duval Street  
Jacksonville, FL 32202



## Agenda - Revised Marked

**Tuesday, April 18, 2023**

**2:00 PM**

**Council Chamber, 1st Floor, City Hall**

### **Transportation, Energy & Utilities Committee**

*Ju'Coby Pittman, Chair*

*Joyce Morgan, Vice Chair*

*Matt Carlucci*

*LeAnna Cumber - Excused Absence*

*Aaron Bowman - Excused Absence*

*Randy DeFoor*

*Reggie Gaffney, Jr.*

*Legislative Assistant: Steven Libby*

*Council Auditor's Office: Edward Linsky*

*Council Research: Jeff Clements*

*Office of General Counsel: Carla Lopera*

*Administration: Rachel Zimmer*

*Planning Dept.: Laurie Santana*

**Meeting Convened:**

**Meeting Adjourned:**

**Attendance:**

**Presentation: Chris LeDew, Chief of Traffic Engineering**

**Item/File No.**

**Title History**

1. [2023-0019](#)

**WITHDRAW**

**At request of  
the Administration**

ORD Declaring the Public Necessity for Acquiring Fee Simple Title Through Condemnation by Right of Eminent Domain to Certain Real Property, a Portion of R.E. #106330-0010 located at 1460 Starratt Rd, Consisting of ± 4,554 Sq Ft, Appraised at \$21,900 (the "Property"), as Required for the Starratt/Dunn Creek Rd Intersection Improvement Proj; Auth the Real Estate Div of Public Works to Make Offers & Negotiate for the Purchase of the Property; Auth Issuance of a Declaration of Taking; Auth & Direct the OGC to Institute Appropriate Condemnation Proceedings (Dist. 2 - Ferraro) (Boeckman) (Req of Mayor)  
1/10/23 CO Introduced: F, TEU  
1/18/23 F Read 2nd & Rerefer  
1/18/23 TEU Read 2nd & Rerefer  
1/24/23 CO PH Read 2nd & Rerefer  
4/18/23 F Withdraw 6-0  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 1/24/23

2. [2023-0020](#)

**DEFER**

**At request of  
CM Cumber**

ORD-MC Relating to the City of Jacksonville’s Procurement Code; Repealing & Replacing Pt 1 (General Regulations), Pt 2 (Supplies, Contractual Services & Capital Improvements), Pt 3 (Professional Services Contracts), Pt 5 (Extraordinary Critical Purchasing Procedures), Pt 7 (Design-Build Contracts), & Pt 9 (Art in Public Places), Ch 126 (Procurement Code), Ord Code, & Pt 6 (Cultural Service Grant Program), Ch 118 (City Grants), Ord Code, in Their Entirety; Creating a New Pt 1 (General Regulations; Ethics & Transparency in Public Contracting), Pt 2 (Jacksonville Procurement Awards Committee), Pt 3 (Procurement Thresholds, Modes, Methods, & Procedures), Pt 5 (Ex-Offender Program), Pt 7 (Buy American Program), & Pt 9 (Bid Protests, Suspension, & Debarments), Ch 126 (Procurement Code), Ord Code, to Modernize & Provide Greater Efficiencies in the COJ Procurement Code; Amend Pt 4 (Nondiscrimination Policy), Ch 126 (Procurement Code), Ord Code, to Amend the Definition of Nondiscrimination Consistent with Employee Svcs Nondiscrimination Policy; Amend Pt 6 (Jacksonville Small & Emerging Business Program), Ch 126 (Procurement Code), Ord Code, to Make the Part Consistent with the Changes in this Ord; Creating a New Pt 6 (Cultural Service Grants & Art in Public Places), Subpt A (Cultural service Grant Program) & Subpt B (Art in Public Places Program), Ch 118 (City Grants), Ord Code, to Relocate the Art in Public Places Program Previously Under Pt 9, Ch 126, Ord Code, to Pt 6, Ch 118, Ord Code; Amend Sec 24.603 (Duties of Chief of Procurement), Pt 6 (Procurement Division), Ch 24 (Finance & Administration Department), Ord Code, to Add Add’l Duties Regarding Contract Admin & Oversight; Creating a New Pt 4 (Contract Administration & Oversight), Ch 21 (Executive Branch, Generally), Ord Code, to Require Contract Admin & Oversight in City Contracts: Estab a Prospective Date of 2/1/24, for Code Repeals, Amdts, & New Provisions Contained in This Ord to Become Effective; Directing the Chief of Procurement to Update the Procurement Operating Manual Consistent With This Ord Prior to 1/1/24; Prov for Oversight by the Procurement Div, Finance & Administration Dept; Prov for Codification Instructions (Hodges) (Introduced by CM Cumber)

1/10/23 CO Introduced: NCSPHS, R, F, TEU

1/17/23 NCSPHS Read 2nd & Rerefer

1/17/23 R Read 2nd & Rerefer

1/18/23 F Read 2nd & Rerefer

1/18/23 TEU Read 2nd & Rerefer

1/24/23 CO PH Read 2nd & Rerefer

Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 1/24/23

3. [2023-0205](#)

**AMEND**

**Contact:**

**James Richardson**

ORD Approp \$107,693 in Fund Balance From the Environmental Protection Fund to Provide Funding for the 16th 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 his Designee, & the Corp Sec 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; Waiving Sec 110.112 (Advance of City funds; Prohibition Against), Pt 1 (The City Treasury), Ch 110 (City Treasury), Ord Code, to Allow for Advance Payment by the City; Prov for Oversight by the Neighborhoods Dept, EQD; Requiring Annual Reports (B.T. 23-062) (Staffopoulos) (Req of Mayor)

3/28/23 CO Introduced: R, F, TEU

4/3/23 R Read 2nd & Rerefer

4/4/23 F Read 2nd & Rerefer

4/4/23 TEU Read 2nd & Rerefer

4/11/23 CO PH Read 2nd & Rerefer

4/17/23 R Amend/Approve 5-0

4/18/23 F Amend/Approve 6-0

Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

**AMENDMENT**

- 1. Attach revised Exhibit 1 (BT) to correct funding source to a fund balance transfer**
- 2. Place revised agreement on file to correct payment date, include Council Auditor within audit rights, and correct scrivener's error**

- 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**
- Waives Code Sec. 110.112 (Advance of City funds; prohibition against) to allow for advanced payment of the full contract amount to Jacksonville University**

4. [2023-0207](#)  
**Public Hearing**  
**Open & Continue**  
**to 5/2/23**

**DEFER**

**Due to notice**  
**Requirements**

ORD re Ch 745 (Addressing & Street Naming Regulations), Ord Code; Estab an Honorary St Desig & Assoc Roadway Markers for Walter W. Flowers, a Fallen Fire & Rescue Officer Who Died while in the Line of Duty; Estab an Honorary St Desig on Atlantic Blvd at the Corner of San Marco Place & Atlantic Blvd & Extending East to the City-owned Roadway Before the Railroad Crossing in Council Dist 5 for Walter W. Flowers; Prov for the Roadside Markers for Walter W. Flowers to be Depicted as Contemplated in Sec 745.105 (j) (9) (b), Ord Code; Prov for the Installation of 2 Honorary Roadway Markers to be Located in Appropriate Locations on the Desig Roadway; Waiver of Sec 745.102 (i) (3), Ord Code, which Requires the Honoree to Live within 5 Miles of the Desig Roadway for 10 yrs; Directing Legislative Svcs Div to Forward Ord to the Planning & Dev Dept for Processing, Implementation, & Coordination with the Public Works Dept, Traffic Engineering & Other Affected Agencies & Orgs (Pollock) (Introduced by CMs Ferraro, Cumber & Boylan) (Co-Sponsors CMs Salem, Becton & Clark-Murray)

3/28/23 CO Introduced: NCSPHS, R, TEU

4/3/23 NCSPHS Read 2nd & Rerefer

4/3/23 R Read 2nd & Rerefer

4/4/23 TEU Read 2nd & Rerefer

4/11/23 CO PH Read 2nd & Rerefer

TEU PH Pursuant to Sec 745.105, Ord Code, & 166.041 F.S. - 4/18/23

Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

5. [2023-0209](#)

**AMEND**

**Contact:**

**Robin Smith**

**See Auditor**

**Comments/**

**Concerns and**

**Recommended**

**Amendments**

Ord Auth the Mayor, or his Designee, to Execute: (1) A Redev Agrmt btwn the City & the Duval County Fair Association, Inc. (DCFA); (2) A Ground Lease Agrmt btwn the City & DCFA for the Lease of ±82.37 Acres of City-owned Land at 13611 Normandy Blvd, Adjacent to the Equestrian Center, with an Initial Term of 40 yrs with 3, 10-yr Renewal Options with Nominal Rent; & (3) Related Agrmts as Described in the Redev Agrmt, For the Construction by DCFA of an 80,000 sq ft Exposition Hall & Related Improvements; Prov for City Oversight of the Proj by Public Works; Auth the Execution of All Docs Relating to the Above Agrmts & Transactions, & Auth Technical Changes to the Docs (Sawyer) (Req of Mayor) (Co-Sponsors CMs White & Clark-Murray)

3/28/23 CO Introduced: NCSPHS, F, TEU  
4/3/23 NCSPHS Read 2nd & Rerefer  
4/4/23 F Read 2nd & Rerefer  
4/4/23 TEU Read 2nd & Rerefer  
4/11/23 CO PH Read 2nd & Rerefer  
4/17/23 NCSPHS Amend/Approve 6-0  
4/18/23 F Amend/Approve 5-0  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

#### **AMENDMENT**

- 1. Pg. 2, line 8: strike "\$200.00" and insert "\$100.00"**
- 2. Correct scrivener's error**
- 3. Place revised Redevelopment Agreement on file to clarify extension language, remove audit rights language, and correct scrivener's errors**

#### **AUDITOR COMMENTS/CONCERNS**

- 1. There are no specifically stated penalties in the Redevelopment Agreement, besides general default, to address a failure by DCFA to meet the development improvements, performance schedule, or expected capital investment.**
- 2. Per the Public Works Department, additional funding beyond what has been appropriated in the CIP may be needed to complete the project since the budget estimate is several years old.**
- 3. DCFA does not have to demonstrate the financial ability to construct the facility prior to beginning construction.**
- 4. The City could have invested millions of dollars into the facility and DCFA could abandon the project during construction. The City's only recourse is to sue for specific performance.**

#### **AUDITOR RECOMMENDED AMENDMENTS**

- 1. We recommend that DCFA be required to demonstrate their financial capacity to construct the DCFA Improvements within 60 days of the effective date of the RDA.**
- 2. We recommend that DCFA be required to provide an irrevocable letter of credit in an amount acceptable to the City for the demolition of the DCFA Improvements in the event the DCFA Improvements are not completed.**

- Authorizes a Redevelopment Agreement between the City and the Duval County Fair Association (DCFA) for development of approximately 82.37 acres of City-owned property located adjacent to and east of the Equestrian Center (DCFA Parcel) into the new site of the Greater Jacksonville Agricultural Fair and DCFA corporate offices**
- DCFA will construct a minimum 80,000 sq. ft. exposition hall, expo hall for exhibitors, maintenance area, office space for fair administration, lobby, concession, and restroom facilities for visitors, meeting and conference spaces, outdoor stage serving the amphitheater, support spaces for the amphitheater, covered receiving dock and loading area for the amphitheater, covered outdoor space at entrance of expo hall lobby, and all walkways, sidewalks, and concrete surfaces within ten feet of buildings**
- The City will, at no cost to DCFA, perform site clearing of the DCFA Parcel and rough grading for buildings, and construct stormwater and utility infrastructure, extension of Finger Lakes Street, all shared-use parking areas, fairgrounds midway areas (pedestrian paths, lighting, utility hookups), amphitheater seating area, sidewalks and landscaping on the DCFA Parcel, up to 32 RV sites, and boundary fencing around the Fairgrounds Maintenance Parcel**
- The City and DCFA must substantially complete the project by June 1, 2025**
- Authorizes a Ground Lease with DCFA for a term of 40 years with three 10-year extension options for \$100/year with an option to lease an additional 60 acres adjacent to the DCFA Parcel**
- A total of \$27.2 million has been appropriated in the CIP for the City's responsibilities**

6. [2023-0210](#) ORD Approp \$250,000 From the Cecil Commerce Center Trust Fund Gain-Loss Sale Real Propty Acct to the Other Professional Svcs Acct to Procure Add'l Engineering, Design & Permitting Svcs by England, Thims, & Miller, Inc. for Installation of Rail to the Mega Site at Cecil Commerce Center (B.T. 23-070) (Staffopoulos) (Req of Mayor) (Co-Sponsor CM White)  
3/28/23 CO Introduced: NCSPHS, F, TEU  
4/3/23 NCSPHS Read 2nd & Rerefer  
4/4/23 F Read 2nd & Rerefer  
4/4/23 TEU Read 2nd & Rerefer  
4/11/23 CO PH Read 2nd & Rerefer  
4/17/23 NCSPHS Approve 6-0  
4/18/23 F Approve 6-0  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

• The services contract with England, Thims & Miller, Inc would increase from \$325,000 to \$575,000

7. [2023-0213](#) ORD Closing & Abandoning &/or Disclaiming a Portion of an Opened & Improved Alley, Estab in the Plat of Hendricks Subdivision of Homestead Tract S Jax, as Record, at the Req of Karen Hirshberg & G.I.S. Holdings, Inc., Subj to Reservation unto AT&T of an all Utilities, Facilities & Access Easement Over the Closure Area; Prov for Appvl Subj to Conditions (Dist. 5 - Cumber) (Staffopoulos) (Req of Mayor)  
3/28/23 CO Introduced: TEU  
4/4/23 TEU Read 2nd & Rerefer  
4/11/23 CO PH Read 2nd & Rerefer  
TEU PH Pursuant to Sec 336.10, F.S. - 4/18/23  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

**Public Hearing  
Open & Continue  
to 6/6/23**  
  
**DEFER**

**At request of  
the Applicant**

8. [2023-0240](#) ORD Closing & Abandoning &/or Disclaiming an Opened & Unimproved Portion of the Bettles Ln R/W, Estab in the Plat of Ortega Suburb of Jax, FL, as Recorded, at the Req of Patrick Morton Emmet & Margaret Barnett Emmet, Subj to Reservation unto JEA & AT&T of an All Utilities, Facilities & Access Easement Over the Closure Area; Prov for Appvl Subj to Conditions (Dist. 14 - DeFoor) (Staffopoulos) (Req of Mayor)  
4/11/23 CO Introduced: TEU  
TEU PH Pursuant to Sec 336.10, F.S. - 5/2/23  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/25/23

**2nd**



9. [2023-0249](#) ORD Apv & Auth the Mayor, or His Designee, & the Corp Sec to Execute a 5th  
2nd Amendment to Amended & Restated Agrmt for Residential Waste & Recycling  
Collection & Transportation Svcs (Service Area III) btwn the City & Waste Pro  
of Florida, Inc, to Extend the Agrmt Term thru 9/30/29, Adjust the Annual  
Consumer Price Index (CPI) Increase from a Not-to-Exceed Cap of 3% to 5%,  
& Prov that the Base Rate is Not Lowered as a Result of the Rate Review  
Process; Waiving Sec 382.308 (L)(2) (Procedures for Extension of Contracts),  
Ord Code; Prov for City Oversight by the Solid Waste Div of the Dept of  
Public Works (Hodges) (Introduced by CM Boylan)  
4/11/2023 CO Introduced: R, F, TEU  
4/17/23 R Read 2nd & Rerefer  
4/18/23 F Read 2nd & Rerefer  
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/25/23

**NOTE: The next regular meeting will be held Tuesday, May 2, 2023.**

**\*\*\*\*\*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.**