

City of Jacksonville

*117 W. Duval Street
Jacksonville, FL 32202*



Meeting Minutes

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: 2:03 PM

Meeting Adjourned: 3:01 PM

Present: 5 - Chair Ju'Coby Pittman, Vice Chair Joyce Morgan, Council Member Matt Carlucci, Council Member Randy DeFoor and Council Member Reggie Gaffney Jr.

Excused: 2 - Council Member LeAnna Cumber and Council Member Aaron Bowman

Attendance

Ed Linsky and Phillip Peterson – Council Auditor’s Office; Merriane Lahmeur and Steven Libby – Legislative Services Division; Carla Lopera – General Counsel’s Office; Jeff Clements – Council Research Division; Eric Grantham – Public Information Office; Brian Hughes, Charles Moreland, Rachel Zimmer – Mayor’s Office; Joey Greive – Finance and Administration Department

Chairwoman Pittman reviewed the agenda and the attendees introduced themselves for the record.

Presentation: Chris LeDew, Chief of Traffic Engineering

City Traffic Engineer Chris LeDew gave an overview of the Traffic Engineering Division and its functions. The division’s primary function is installation and maintenance of signage, striping and signals for 3,775 miles of roadways, which it does with 36 employees and several on-call consultants and contractors. The division also does engineering studies for operational and safety improvements, traffic calming and pedestrian safety. They review private development proposals for traffic impacts. The division gets about 50 CARE system calls and service requests per day from the general public and another 50 from other City employees, council members and other governmental officials. The Traffic Engineering Division has a liaison relationship with numerous other traffic- and road and safety-related organizations. Mr. LeDew described the various project expenditure categories in the division’s budget, including general countywide projects, named capital projects, and various use-specific funds such as school zones, crosswalks, and traffic calming.

CM Gaffney thanked Mr. LeDew for his help in getting him acclimated to the work of a city council member since his election. CM Morgan asked about the sufficiency of the division’s staff. Mr. LeDew said Jacksonville is a growing city and the employee complement will have to go up as more development occurs and more roads are built and signals installed. Prioritization of work is very important to take care of the most serious issues first. CM DeFoor said roads and sidewalks are a basic quality-of-life issue and very important to citizens. In response to a question from CM DeFoor, Mr. LeDew said that the division is responsible for installing new streetlights via a contract with JEA and pays the electric bill for the operation of the lights.

Item/File No. Title History

1. [2023-0019](#) 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
4/18/23 TEU Withdraw 5-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 1/24/23

WITHDRAW

Aye: 5 - Pittman, Morgan, Carlucci, DeFoor and Gaffney Jr.

Excused: 2 - Cumber and Bowman

2. [2023-0020](#) 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: Etab 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

DEFER

3. [2023-0205](#) 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
4/18/23 TEU Amend/Approve 5-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

AMEND/APPROVE

Aye: 5 - Pittman, Morgan, Carlucci, DeFoor and Gaffney Jr.

Excused: 2 - Cumber and Bowman

Ed Linsky of the Council Auditor's Office explained the amendment.

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](#)** 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, 5/2/23
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

PH OPEN/CONT 5/2/23

5. [2023-0209](#) 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
4/18/23 TEU Amend/Approve 5-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

AMEND/APPROVE

- Aye:** 5 - Pittman, Morgan, Carlucci, DeFoor and Gaffney Jr.
Excused: 2 - Cumber and Bowman

Ed Linsky of the Council Auditor's Office explained the amendment.

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
4/18/23 TEU Approve 5-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

APPROVE

Aye: 5 - Pittman, Morgan, Carlucci, DeFoor and Gaffney Jr.

Excused: 2 - Cumber and Bowman

- **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, 6/6/23
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/11/23

PH OPEN/CONT 6/6/23

Public hearing

Pam Sorenson said she and her neighbors oppose this bill and will be meeting with council members individually to make their case.

Lauren Carlucci said her neighborhood is very opposed to this closure and will come to future City Council meetings to express opposition.

8. [2023-0240](#) ORD Closing & Abandoning &/or Disclaiming an Opened & Unimproved Portion of the Bettes 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
4/18/23 TEU Read 2nd & Rerefer
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

READ 2ND & REREFER

9. [2023-0249](#) ORD Apv & Auth the Mayor, or His Designee, & the Corp Sec to Execute a 5th 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
4/18/23 TEU Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 4/25/23

READ 2ND & REREFER

Public Comment

Carnell Oliver said the Equestrian Center should be an economic engine. Citizens should be more involved in determining the city's future. He advocated for the appointment of a government modernization committee during the mayoral transition process. The city needs to be more forward-looking.

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

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

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Jeff Clements - Council Research Division
jeffc@coj.net 904-255-5137
Posted 4.19.23 10:00 a.m.