

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes - Amended

Wednesday, June 10, 2026

9:30 AM

Council Chamber,
1st Floor, City Hall

Jacksonville Waterways Commission

CM Ken Amaro, Chair - Early Departure

CM Mike Gay, Vice Chair

CM Jimmy Peluso - Excused

CM Matt Carlucci, Alternate - Early Departure

Jon Michael Barker

Robert Birtalan - Excused

Representative Dean Black

Mark Devereaux

Andrew Fraden

Marc Hardesty

Richard Hartley

J. Hobson

Matt Jones

General Public Rep - Vacant

D. R. Repass, Planning Commission - Excused

Adam Hoyles, Environmental Protection Board

Barbara Ireland Hobson, Legislative Assistant II

Shannon MacGillis, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Steven Libby, Council Research

Jim Suber, Waterways Coordinator

COUNCIL RULE 4.505 DISRUPTION OF MEETING

Any person who disrupts a regular meeting of the City Council, standing committees, special or select committees, sub-committees or any other public meeting presided over by a City Council Member may be forthwith barred, removed, or otherwise ejected, in the discretion of the presiding officer, from further attendance at that meeting. If necessary, due to the nature of the disruption, the audience may be cleared from the Council Chambers or meeting location in the discretion of the presiding officer.

Any person who refuses to leave the City Council Chamber may be subject to arrest.

Disruption of a meeting includes the following types of behaviors:

- 1) Any form of political campaigning or electioneering regarding a specific candidate or group of candidates in City elections;**
- 2) Impeding the orderly progress of the meeting by shouting, yelling, whistling, chanting, singing, dancing, clapping, foot stomping, snapping fingers, cheering, jeering, using artificial noise makers or musical instruments, waving signs of any size, or engaging in any other display of excessive noise, sounds, or movement;**
- 3) Displaying or waving signs of any sort, except where used to support the speaker's presentation at the podium, and only where the sign is 21 inches by 21 inches or smaller in size and cannot be displayed in a manner which unreasonably obstructs the view of the dais for any member of the audience, regardless of message;**
- 4) Audible noise from cellphones or other electronic devices;**
- 5) Consumption of alcohol or controlled substances;**
- 6) Making vulgar or offensive remarks or gestures, or using threatening language or gestures, including but not limited to pantomiming discharging a firearm, choking, or throat-cutting;**
- 7) Refusing to stop speaking when his or her time has expired or is otherwise directed by the presiding officer to do so due to disruptive behavior as described herein;**
- 8) Returning to the meeting after having been removed or ejected, or attempting to do so.**

1. **Meeting Convened: 9:31 a.m.** **Meeting Adjourned: 11:29 a.m.**
2. **Attendance**
3. **Pledge of Allegiance**
4. **Approval of Minutes**

A motion to approve the minutes of the May 13, 2026 meeting was made, seconded, and approved without objection.

5. **St. Johns River Status Report on Water Quality & Manatees**

Dr. Gerard Pinto, Jacksonville University, reported that rainfall had increased, which had reduced salinity, though salinity remained elevated. He reported that water temperature was approximately 82 degrees and that, combined with the increased rainfall, conditions could produce additional algal blooms. Dr. Pinto reported that mixed algae were present in the area, with no toxins. He reported that the area continued to experience a year-to-date rainfall deficit of five inches, though May had produced close to five to six inches of rainfall.

Dr. Pinto raised concerns regarding manatee mortality, reporting five additional mortalities since last meeting's report. He reported that three were watercraft mortalities, located near Mayport, Huguenot Park, and Sisters Creek, and stated that he suspected the three had been a mating group struck by a large vessel. Dr. Pinto reported an additional manatee mortality at the Queens Harbor lock, the third lock-related death recorded at that location this year. Dr. Pinto stated that the management company of the Queens Harbor lock was communicating with state and federal agencies regarding improvements to manatee safety. Dr. Pinto further reported that aerial surveys had counted 71 manatees in the area.

Mr. Matt Jones asked whether there was anything the Commission could do regarding the manatee mortalities at the Queens Harbor lock and whether a sensor issue at the lock had been identified. Dr. Pinto stated that he was not involved in the issue as much as he would like, as the state and federal agencies were now involved, but that the lock operators had been communicating with him about it. He was uncertain whether it was a sensor issue, noting that the manatees could be in locations difficult for lock operators to see, and that a hydrophone might need to be installed to listen for manatee vocalizations.

Mr. Michael Barker asked whether it was possible to install an underwater sound system to deter manatees from entering the lock. Dr. Pinto stated that installing a sound system had previously been considered, but that federal law restricts civilians from installing one.

Mr. Adam Hoyles, Environmental Protection Board, stated that Garmin had developed an inexpensive, steerable sonar for fishermen, and that such a device could be used at the lock to identify manatees. Dr. Pinto agreed with Mr. Hoyles's proposed solution and stated that he hoped it would be proposed by the state and federal agencies, as it was a simple and inexpensive solution. Chair Amaro asked Dr. Pinto who would incur the cost of the equipment. Dr. Pinto stated that the management company of the Queens Harbor lock would incur the cost.

Mr. J. Hobson asked Dr. Pinto who collected the manatees after their deaths are recorded. Dr. Pinto stated that the FWC's marine mammal recovery team collects the manatees, and that the zoo takes some part in the process.

6. Public Comment

Mr. Carnell Oliver spoke on economic development through the Jacksonville Port Authority.

Mr. John Rooney spoke on FIND and JWC.

Ms. Leatrice Bell commented on the George Crady Bridge Fishing Pier and invited the Commissioners to tour the site with the Mayor on June 22 at 9:30 a.m.

7. New Business

2026-0475

ORD Adopting a Small-Scale Amendmnt to the FLUM Series of the 2045 Comp Plan at 0 Granite Pl, Btwn New Berlin Rd & I-295 - (1.91± Acres) - WD-WR to LI - Bird Dog Land Holdings, LLC (R.E. # 108820-0050) (Appl # L-6120-26C) (Dist. 2-Gay) (Tremante) (LUZ)(Rezoning 2026-476) (JWC Deny)

6/9/26 CO Introduced: LUZ, JWC

LUZ PH: 8/4/26

Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 7/28/26 & 8/11/26

Mr. Ed Lukacovic, Planning Department, presented on the small-scale land use amendment at 0 Granite Place. He presented an overview of the project and its scheduled public hearing dates. He explained that the current designation is Water Dependent-Water Related (WD-WR), while the ordinance proposes amending it to Light Industrial (LI).

Mr. Lukacovic stated that, while the WD-WR designation is typically associated with port activity, the site is unsuitable for that designation because it does not have water access. Mr. Lukacovic then described the surrounding land uses, including convenience stores, gas stations, fast food, a hotel, a warehouse, vacant land, and salt marshes. Through aerial photographs, he explained that three-quarters of the site is salt marsh, while the northern one-quarter is upland. He also explained that the site has a direct impact on the City's waterways, as flows run from the application site and salt marsh through a cross drain into Nichols Creek, which flows east into the St. Johns River.

Mr. Hardesty asked Mr. Lukacovic for the rationale supporting approval of the amendment. Mr. Lukacovic stated that the property has no water frontage, unless the salt marsh is regarded as water frontage, and that no port activity takes place there. He surmised that the property had been placed in the wrong category and that changing it from WD-WR to LI is appropriate for its use. Mr. Hardesty expressed reluctance to support the amendment, citing previous destruction of wetlands, the fact that close to 80% of the site is wetlands, and the flooding risks.

Mr. Brian Small, applicant, stated that the WD-WR category already allows trucking, and that a potential buyer wishes to park five box trucks on the property for his moving company but does not want to purchase the property unless it is designated LI. He further stated that the buyer would not affect the wetlands or fill in the site but would clear it of accumulated trash, debris, and encampments.

Mr. Jones asked whether the 400-foot-long drain that runs under I-295 was already in place or planned for the project. Mr. Lukacovic stated that it was installed when the highway was constructed. Mr. Jones asked whether there was a mechanism in place to prevent fuel spillage from the fuel station on the north side of the property from reaching the river. Mr. Small stated that the fuel station had already received a waiver allowing it to operate on WD-WR, and that it was outside the scope of the amendment application under consideration.

Ms. MacGillis asked Mr. Lukacovic whether there was a companion rezoning bill. Mr. Lukacovic confirmed that there is a companion rezoning bill but stated that, because it is a quasi-judicial matter, he could not discuss it. Ms. MacGillis agreed and explained to the Commission that the application under consideration is a legislative act, while the rezoning bill is a quasi-judicial act that requires ex-parte disclosures. She cautioned the Commission against asking any questions that would elicit information related to the companion rezoning bill.

Mr. Barker asked what changing the property to LI would allow. Mr. Lukacovic stated that the problem for the site is that it lies in a flood zone with floodwater displacement problems, that there is no room on the site for floodwater mitigation, and that the only feasible use would be to park vehicles. He further stated that the owner has an inherited right to use the site for some type of industrial use, and that whether the use changes from one industrial use to another is insignificant to the Planning Department. Mr. Barker asked whether more trucks could be parked under LI than under WD-WR. Mr. Lukacovic stated that it would make no difference between the two designations.

Mr. Andrew Fraden stated that his concern was approving a new designation in reliance on an expected type of project, only for the planned project to later change. Mr. Lukacovic stated that the owner has an inherited right to use the property for some use because it is paying taxes on the property and the property is not in conservation.

Mr. Hardesty asked why the land use designation should be changed if the owner already has the right to do what is being proposed. Mr. Small stated that they were making the change because the buyer wanted to be certain he could park his trucks there, as the trucks are non-port-related. Mr. Hardesty reiterated his concern and asked whether the owner currently has the right to park trucks there under the existing designation. Mr. Small stated that he does not have a clear right to do so, as the trucks would not be used for port-related activities, and that technically he does not have that right.

Mr. Barker expressed concern that the Commission is unable to discuss the companion rezoning bill. Ms. MacGillis explained that the matter under consideration before the Commission is the land use amendment rather than the companion rezoning bill. She further stated that the Commission could discuss the companion rezoning bill, but that doing so would require Acting Chair Gay to declare ex-parte.

Representative Dean Black stated that approving the request would not cause harm, as the current designation already allows vehicles to park on the property, provided that magnets are attached to the trucks. He stated that the Commission should therefore not interfere with the owner's right to do so.

Acting Chair Gay summarized the main points of the discussion and confirmed with Mr. Lukacovic that, when the owner clears the property, it must have a site plan and follow development procedures with the Planning Department.

The bill was moved and seconded for a recommendation to approve. The motion to recommend approval failed by a vote of 4 to 5.

8. Other New Business

Discussion: Receipt of FIND Letter of Support for a Comprehensive Watershed Analysis of Hogpen Creek

Mr. Barker stated that, with support from Hogpen Creek advocates, he would like to see the watershed analysis study officially added to the list of FIND projects under consideration for funding. Chair Amaro asked Mr. Barker how much the study would cost. Mr. Barker stated that a funding request would need to be developed, but that the process would be to add the project to the FIND projects list for consideration.

Mr. Brian Burket, Parks Department, stated that he had reached out to the executive director of FIND to clarify the scope and grant eligibility of the request. He stated that the executive director of FIND had clarified that the study itself would not be FIND eligible, but that the recommendations resulting from the study could be. He further stated that, because there is no public water access facility along the body of water, the project would not be eligible for 50% reimbursement and would qualify only for 25% reimbursement. He noted that grant rules stipulate that, for this type of project, 50% of the match dollars must come from general taxes or assessments from the benefitting properties. He stated that the study would require an alternate funding source rather than FIND, but that the projects recommended by the study could be added to the FIND list for consideration. Mr. Burket added that he had looked into adding a public access facility to make the project eligible for the 50% reimbursement, but that there are minimal opportunities to do so.

CM Carlucci asked Mr. Burket how much these studies generally cost. Mr. Burket stated that he did not know and that they would have to hire an engineering or consulting firm to conduct the study. Mr. Barker asked whether FIND funding could be used for dredging if the study recommended that dredging be done. Mr. Burket confirmed that dredging would be eligible, but that it would still qualify only for 25% reimbursement rather than 50% reimbursement because there is no public access facility there. Captain Jim Suber, Waterways Coordinator, stated that dredging could be done but that it is not a permanent solution for sediment buildup.

Chair Amaro informed Mr. Burket that, when the community came before the Commission, they had stated that the purpose of the study was to identify culpability and resolution. He asked Mr. Burket whether those purposes fell under the scope of FIND. Mr. Burket stated that he did not think so, as FIND is not a regulatory or enforcement body. He stated that FIND is willing to contribute to a solution if the study determines the cause and the standard FIND application process is followed.

Chair Amaro asked Mr. Burket whether the Commission needed to take action on the matter in order for it to move forward. Mr. Burket stated that no action was needed and that the FIND letter had been provided for informational purposes.

Mr. Hoyles stated that, based on aerial photography of the area, he did not believe any single development was more responsible than another for the issues. He stated that there was collective responsibility, as many neighborhoods discharge stormwater into the canal, which discharges into the creek. He further stated that one possible solution could be to reopen the waterway and modify the canal, but that the problem is that development has been built right up to the canal.

Ms. Shannon MacGillis, OGC, informed the Commission that her recommendation was for the members not to take action at this time, as CM Rory Diamond, the District Council Member for the area, had stated that he was committed to securing funding for the watershed analysis.

Mr. Marc Hardesty stated that the Shoaling Committee had attempted to find solutions for these persistent, recurring issues, and that the shoaling of Clapboard Creek had been particularly difficult, with resistance from the relevant agencies. CM Gay stated the importance of ensuring that the analysis and findings of a future study would be accepted by the relevant agencies.

Discussion: Fort George River Sandbar Boating Hazard Issue

Mr. Jones discussed the need to designate the Fort George Inlet a No Wake Zone, citing its growing popularity as a boating destination and the changing landscape of the sandbars caused by Atlantic tides. He further cited Lt. Kilcoin's May 13 presentation on the Fort George Inlet regarding its navigation difficulties caused by the shifting sandbars. Mr. Jones stated that, to the best of his knowledge, the only funding needed would be for signage. Mr. Jones stated that he would like to formally submit the proposal as a resolution that would be open for public discussion and eventually voted on by the Commission.

CM Gay stated that he had previously discussed the need for increased patrols at the Fort George Inlet and had met with several entities interested in reducing the speed there. He further stated that there is a process with FWC to allow No Wake Zone signage to be placed there. Captain Suber stated that he had received several requests over the years regarding the issue and that he had recently received calls from FWC and the JSO Marine Unit asking how they could help him.

Chair Amaro asked Ms. MacGillis to confirm whether the issue is within the purview of the Waterways Commission and, if so, how the Commission could proceed.

Ms. MacGillis confirmed that the issue is within the purview of the Waterways Commission but clarified that any regulation must take the form of an ordinance passed by the City Council under the authority granted in Section 327.46, Florida Statutes, which limits a municipality's regulation of boat speed to certain waterway features. She added that, if the proposed ordinance were passed by the City Council, it would not take effect until the FWC reviewed the ordinance and determined, through competent substantial evidence, that it was necessary to protect public safety. She stated that the proposed ordinance would need to include several whereas clauses presenting competent substantial evidence for the FWCC to deem the regulation necessary.

Ms. MacGillis stated that the Fort George River carries multiple layers of protection: it is managed by the Florida Department of Environmental Protection as part of the Fort George Island Cultural Site and the St. Johns River Marshes Aquatic Preserve and is designated as a Florida Outstanding Waterway, and the area is also under federal protection as part of the Timucuan Ecological and Historic Preserve. She stated that, as a result, any ordinance would likely also be subject to review by Florida DEP, the United States Coast Guard, and the Army Corps of Engineers.

Ms. MacGillis recommended that the Commission create a task force to collect information meeting the standard of competent substantial evidence and to present that information to the Commission, with the FWCC, Florida DEP, and the Army Corps invited to participate as liaisons under Section 95.103 of the Ordinance Code.

Chair Amaro stated that he would like to create the task force before the end of the meeting and to set a deadline, possibly 90 days, for delivery of a report.

Ms. MacGillis explained that establishing the task force under Chapter 95 is a two-step process: the Commission first authorizes its establishment, through a vote, under Section 95.104(d), after which the Chair appoints its members under Section 95.104(a). She recommended that the Chair formalize the task force through a charge memo defining its scope, membership, and form of reporting.

Ms. MacGillis cautioned that the task force's meetings and member communications would be subject to Sunshine Law, and that because the study would likely come before the Commission for a vote, care would be required in communications between the Commission and the task force.

A motion to authorize the creation of a task force was made and seconded. The motion was approved without objection.

Chair Amaro stated that it was his desire for the task force to consist of three to five members and asked Ms. MacGillis whether that was appropriate. Ms. MacGillis confirmed that it was appropriate and added that one of the benefits of a task force is that the JWC Chair can appoint persons who are not members of the Commission, provided that the Chair of the task force is a member of the Commission.

Ms. MacGillis stated that, if the charge memo is published prior to the possible appointment of a new Chair, the task force would continue until that appointment, after which it would be at the new Chair's discretion whether to continue the task force.

Chair Amaro proposed that three members of the task force be Commission members and that two be members of the public familiar with the issue, and asked Ms. MacGillis to draft a charge memo.

Mr. Hardesty asked whether the Shoaling Committee was interchangeable with the task force. Ms. MacGillis stated that it was not and differentiated the responsibilities of the two entities, explaining that the Shoaling Committee is focused on what is happening, how, and who is responsible, while the task force is focused on a discrete issue that requires only a gathering of facts. Mr. Hardesty stated that they have struggled to find a resolution for Clapboard Creek for years and may need to take a different approach.

Captain Suber asked Chair Amaro whether it would be appropriate to appoint representatives of the state parks system, FWC, and JSO to the task force. Ms. MacGillis stated that she would not recommend appointing representatives from the relevant entities to the task force, as they would be subject to Sunshine Law and would be better served as liaisons rather than as members.

Chair Amaro stated that it was his preference that the two non-Commission seats on the task force be filled by members of the public rather than agency representatives. Ms. MacGillis stated that, when meeting notices and materials are distributed prior to the meeting, the recipient list can be expanded to include representatives of the relevant agencies so that they are kept informed. She stated that an additional benefit of having the task force present its findings to the Commission is that it allows the public ample opportunity to weigh in.

CM Gay recommended that the task force not be limited to the Fort George River but instead serve as a Minimum Wake Zone task force addressing multiple issues.

Mr. Jones informed Chair Amaro that, if offered membership on the task force, he would accept.

Chair Amaro departed the meeting, and Vice Chair Gay assumed the chair for the remainder of the meeting. Ms. MacGillis recommended that the proposed task force be temporary and focused on this discrete issue, especially as the Commission transitions into a new Council year. She added that the

JWC Chair in the next Council year could consider creating a committee dedicated to boat speed regulation.

9. Old Business

Shad Creek Resolution - Update

Ms. MacGillis stated that it had been indicated to her that there are not adequate features in that particular waterway to allow the City to regulate boat speed there, but that she could be wrong and is open to discussing it further with Mr. Burket and other interested parties.

Mr. Burket stated that they could apply to FWC to expand the zone, and noted that a navigation study had not been done when the bridge was replaced and may need to be examined, which could provide justification for future expansion of the zone.

Acting Chair Gay agreed that the DOT did not fully follow through on the navigation study process during the bridge replacement, which would allow them to revisit the issue.

Mr. Burket stated that he believed the application process requires a resolution from the local government body and asked Ms. MacGillis for confirmation. Ms. MacGillis stated that her intention in informing the Commission of a lack of adequate waterway features for municipal regulation under Section 327.46, Florida Statutes, was also to remind the Commission that it has already approved a resolution stating that the municipality has done everything it could and that the matter now rests with the FWC.

George Crady Bridge Update

Acting Chair Gay informed the Commission that he had discussed with the Florida Department of Environmental Protection the need for a plan, and that FDEP is open to working toward a resolution.

10. Adjournment

Acting Chair Gay announced that this was the last JWC meeting of the Council Year and thanked Chair Amaro, the commissioners, and the staff for their work.

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.

Minutes: Steven Libby, Council Research
slibby@coj.net, (904) 255-5147
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