

# City of Jacksonville

117 W Duval St  
Jacksonville, FL 32202



## Meeting Minutes

Tuesday, October 6, 2020

9:30 AM

Council Chambers 1st Floor, City Hall & Virtual

### Finance Committee

*Matt Carlucci, Chair*  
*Randy DeFoor, Vice Chair*  
*Ron Salem, Pharm. D.*  
*Brenda Priestly Jackson*  
*Joyce Morgan*  
*LeAnna Cumber*  
*Scott Wilson*

*Legislative Assistant: Ladayija Nichols*  
*Legislative Assistant: Crystal Shemwell*  
*Council Auditor: Kim Taylor*  
*Asst. Council Auditor: Phillip Peterson*  
*Chief of Research: Jeff Clements*  
*Deputy General Counsel: Peggy Sidman*  
*Administration: Rachel Zimmer*

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: 9:32 AM**

**Meeting Adjourned: 11:52 AM**

**Attendance: Council Members Matt Carlucci (Chair), LeAnna Cumber, Randy DeFoor, Joyce Morgan, Brenda Priestly Jackson, Ron Salem, Scott Wilson (via Zoom)**

**Also: Council Members Garrett Dennis, Terrance Freeman (via Zoom), Michael Boylan (via Zoom); Melanie Wilkes, Steve Cassada and Eric Grantham – Council Support Services; Jeff Clements and Yvonne Mitchell – Council Research Division; Kim Taylor, Phillip Peterson, Trista Carraher, Brian Parks – Council Auditor’s Office; Joey Greive – Finance Department; Peggy Sidman and Paige Johnston – Office of General Counsel; Stephanie Burch and Rachel Zimmer – Mayor’s Office; Cheryl Brown – Council Secretary/Director; Lori Boyer and Steve Kelly – DIA; Susan Stewart – Jaxport; Kurtis Wilson – JEA; Bill Clement – Sheriff’s Office; Lillian Graning – Tourist Development Council**

Council Auditor Kim Taylor to discuss:  
Report #736B: Follow-Up on Police and Fire Pension Fund Audit

Council Auditor Kim Taylor discussed Report #736B: Second Follow-Up on Police and Fire Pension Fund Audit. 3 findings have not yet been fully addressed and the PFPF agreed that it will work on implementing the final 3 recommendations. The three findings include: 1) errors in DROP calculations for JSO officers due to 3 weeks of pay being included in the final payroll rather than the standard 2 weeks; the effective retirement date for DROP participants requires a system change by ITD; and 3) some inaccurate COLA payments were made due to a software glitch. The Auditor’s Office will do a third follow-up to ensure all recommendations are completed. In response to a question from Council Member DeFoor about whether the Council Auditor looks at return on investment on PFPF investments for the 3-year average required by collective bargaining, Ms. Taylor said that was not the subject of this audit but she is willing to do that calculation.

**Item/File No. Title History**

1. [2020-0112](#) ORD Auth 5th Amend to Mgmt.Svcs. Agreemt btwn City of Jax & Cecil Field Golf Course, LLC Which: (1) Extends Term of Agreemt for 5 addtn'l Yrs; (2) Eliminates Base Fee & Percentage of Gross Revenues Payable to City in 2020; (3) Revises Pymt Schedule & Percentage of Gross Revenues Going Forward; (4) Deletes Existing Insur & Indemnification Language & Replaces it with New Insur & Indemnification Language; & (5) Updates Applicable Provisions Regarding Public Records Laws; Prov Oversight by Parks Recreation & Community Svcs. Dept. (Johnston) (Introduced by CM's White & Salem)  
 2/11/20 CO Introduced: NCSPHS, F  
 2/18/20 NCSPHS Read 2nd & Rerefer  
 2/19/20 F Read 2nd & Rerefer  
 2/25/20 CO PH Read 2nd and Rereferred;NCSPHS,F  
 3/16/20 NCSPHS 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 request of CM White**

2. [2020-0181](#) ORD Auth Second Amend to Lease Agreement btwn City of Jax & Jax Golf Management, LLC to Waive Annual Rent & Gross Revenue Percentage Payment for Bent Creek Golf Course for 1 Yr to Allow Funds to be Utilized by Jax Golf Management, LLC for Renovations of the Greens; Oversight by Dept of Parks, Recreation & Community Services. (McCain) (Req of Mayor) (Co-Sponsored by CM Hazouri)  
 3/10/20 CO Introduced: NCSPHS, F  
 3/16/20 NCSPHS 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  
 4/6/20 NCSPHS Read 2nd & Rerefer  
 4/7/20 F Read 2nd & Rerefer  
 4/14/20 CO PH Read 2nd and Rereferred; NCSPHS, F  
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 3/24/20,  
 4/14/20

**DEFER At request of the Administration**

3. [2020-0490](#) ORD Approp \$15,000.00 (\$7,500.00 from CSX Transportation, Inc. (CSX) & \$7,500.00 from the FL Dept of Transportation (FDOT) for Closure of E. 59th St. Railroad-Highway Grade Crossing; Auth the Mayor & Corp Secretary to Execute & Deliver the Stipulation of Parties for the Closure of E. 59th St. FDOT Crossing #621069K Railroad-Highway Grade Crossing btwn City of Jax, CSX, & FDOT for Permanent Closing of a Railroad-Highway Public Grade Crossing at E. 59th St.; Oversight by Dept of Public Works; Amend 2020-2024 5-Yr Capital Improvemt Program Apv by Ord 2019-505-E to Provide Funding for the Project Entitled "Railroad Crossings." (McCain) (Req of Mayor)  
8/11/20 CO Introduced: NCSPHS,TEU,F  
8/17/20 NCSPHS Read 2nd & Rerefer  
8/17/20 TEU Read 2nd & Rerefer  
8/18/20 F Read 2nd & Rerefer  
8/25/20 CO PH Read 2nd & Rereferred;NCSPHS,TEU,F  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 8/25/20

**DEFER At request of the Administration**

4. [2020-0527](#) ORD-MC Auth & Creating a New Part 3 (Downtown Preservation & Revitalization Prog), Chapt 55 (Downtown Investment Authority), Ord Code, to Create a New Downtown Preservation & Revitalization Prog (“DPRP”) & Guidelines thereto to Incentivize the Preservation & Revitalization of Unoccupied or Deteriorating Historic & Qualified Non-Historic Bldgs. in Downtown Jax; Amending Chapt 111 (Special Revenue & Trust Accounts), Pt 9 (Neighborhood Development) Sec. 111.910 (Downtown Historic Preservation & Revitalization Trust Fund), Ord Code, to: (1) Replace the Guidelines Governing the Use of the Trust Fund with the Guidelines Attached Hereto as Exhibit 2 (The “HPRTF Guidelines”); (2) Amending Sec. 111.910, Ord Code, to Revise Eligibility Requirements for the Trust Fund Consistent with the HPRTF Guidelines, in Part to Auth the DIA Board to Make Grants in the up to Maximum Amount of \$100,000, Consistent with the Requirements of the HPRTF Guidelines; Amending the City’s Public Investment Policy as Previously Auth. by ORD 2016-382-E, as Amended, to include the DPRP therein & revise the existing Downtown Historic Preservation & Revitalization trust Fund Prog to be Consistent with the terms & Conditions of this Ordinance. (Sawyer) (Req of DIA) (Co-Sponsor CM Carlucci)  
 8/25/20 CO Introduced: F, R  
 9/1/20 F Read 2nd & Rerefer  
 9/1/20 R Read 2nd & Rerefer  
 9/8/20 CO PH Read 2nd & Rereferred;F, R  
 10/6/20 F Amend/Approve 7-0  
 10/6/20 R Amend(Finance)/Approve 7-0  
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

Assistant Council Auditor Phillip Peterson explained the Auditor’s proposed amendment, primarily scrivener and technical amendments. CM Cumber proposed an alternate amendment incorporating all of the Auditor’s amendments plus 2 additional points: 1) clarify that the code enforcement loan ROI will be calculated over 20 years rather than 10 years; 2) if a developer has a building that’s historic and wants to combine both a Code Compliance loan and a historic loan, both will be amortized over the same time period (5 years). Steve Kelly (DIA) said the proposed changes don’t impede the use of the programs for downtown revitalization. The Cumber amendment amends the guidelines to change the name of a grant program, modifies the amortization period CCR forgivable loan from 10 year to 5 year amortization when used in combination with historic loan; and clarifies the project approval process with DIA and the Planning Department. Mr. Peterson said the Auditor’s Office has no concerns with the Cumber amendment. Steve Kelly confirmed for Mr. Carlucci that there is nothing in the amendments that hinders his original intent for the bill.

#### **AMEND/APPROVE**

**See Auditor’s Summary on pgs. 11 - 12**

**Aye:** 7 - Carlucci, DeFoor, Salem, Priestly Jackson, Morgan, Cumber and Wilson

**AMENDMENT**

1. Revise bill title to include provision for phase-in period
2. Pg. 1, line 16: insert comma after “Development”
3. Pg. 3, line 28: insert dollar sign before “100,000”
4. Pg. 5, line 2: insert close parentheses after “Fund”
5. Pg. 5, line 3: insert title of Chapter 111
6. Pg. 10, line 9: strike “DHPTF” and insert “HPRTF”
7. Attach revised Exhibit 1 (DPRP Guidelines) to correct scrivener’s errors and clarify project approval process within the DPRP
8. Attach revised Exhibit 4 (DPRP Public Investment Policy Summary) to correct numbering on pg. 2
9. Remove references to on file documents throughout bill

5. [2020-0528](#) ORD-MC Amending Sec.108.507 (Representation of City Officials & Employees in Civil Matters), Pt. 5 (Legal Svcs.), Chapt 108 (Central Svcs.), Ord Code, to Include a Provision for Notice to the Office of General Counsel if an Individual Intends to Seek Reimbursement for Outside Counsel Attorney's Fees from the City for Civil or Criminal Actions; Provision Regarding rights Under FL Common Law & Regarding Criminal Actions or Criminal Investigations. (Johnston) (Introduced by CM Dennis)  
8/25/20 CO Introduced: F, R  
9/1/20 F Read 2nd & Rerefer  
9/1/20 R Read 2nd & Rerefer  
9/8/20 CO PH Read 2nd & Rereferred;F,R  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

CM Dennis said he and other council members have received notices from Aaron Zahn's attorney notifying them of the potential to be deposed in his civil lawsuit and he intends to hire private counsel and not be represented by OGC. City and JEA employees in the same situation may not know that they have the right for their private counsel costs to be paid by the City for defense of actions in the line of duty. In response to a question from CM Cumber about how this bill change the current state of affairs, Mr. Dennis said it just sets a reasonable market rate cap for attorney fees so that the City is not responsible for exorbitant attorney fees. Ms. Cumber felt the 30 day notification period could prevent employees who don't know the process from getting reimbursed without having to come before Council for approval, which could be very intimidating. She's also concerned about privacy interests that might be impacted by the disclosure of hiring an attorney. She thinks there's an inconsistency in Clause B (p. 3 line 7) that conflicts with City Council's ability to waive the \$350/hour cap. She thinks the ability of some people to pay over the cap is unfair compared to people who can't afford to pay more than the City will reimburse. Assistant General Counsel Paige Johnston explained the common law right to reimbursement of legal expenses incurred in the course of a public official's acts and duties. \$350/hour was established based on reasonable rates in the Jacksonville market, which can be adjusted by ordinance as necessary based on market conditions. Also City Council can provide higher reimbursement on a case-by-case basis. The 30-day time frame was from a specific date when the bill was filed and since the bill is taking a while in the legislative process, may need to be amended to a more reasonable time once the bill is passed.

Council Member Cumber said she thinks making an employee request legislation for reimbursement is onerous and intimidating. Ms. Johnston said it is anticipated that if an employee submits a reimbursement request beyond the 30 day deadline, the OGC would file the legislation on behalf of the employee. Deputy General Counsel Sidman quoted from the letter from Aaron Zahn's attorney and cautioned that that receipt of that letter does not automatically entitle the recipients to hire an attorney at City cost right now. Council Member Salem said he agrees with the fee cap but is concerned with the privacy implications of having to disclose the hiring of an attorney via certified letter which is a public record that anyone can request. False allegations can be very harmful to public officials' reputations. Ms. Johnston said she worked with the litigation department of OGC to make the notification letter as generic as possible without disclosing too much detail of who or why, while still letting OGC know that something was happening that could generate fees the City would be requested to pay. That's why they created the Council approval method that keeps things confidential until after the issue is settled if that level of privacy is preferred. In response to a question Ms. Johnston said currently the use of a private attorney becomes a public record when a reimbursement is paid. Ms. DeFoor asked how "reasonableness" under the common law test is being determined now.

Council Member Priestly Jackson said she likes the concept of the bill but has some concerns about application to civil vs. criminal cases and how things are done now. She thinks this bill needs to wait until after the JEA Special Investigatory Committee finishes its work because that will play into how this ordinance works. Council Member Morgan asked if the department or authority where the employee works makes any



difference with privacy concerns, since it's all taxpayer money in the end. Ms. Johnston said the common law right to reimbursement exists because public officials are by nature more public and subject to scrutiny and criticism, and therefore eligible for public funding to protect themselves in the event of that scrutiny. Ms. Morgan said there will always be financial disparities about who can afford to hire what attorney and that fact can't really be helped. Deputy General Counsel Jon Phillips said \$350/hour was selected as the cap based on case law requiring market rate reimbursement on relatively analogous cases and on what the City has been charged for similar work in recent years. Common law provides for reasonable reimbursement, not unlimited fees. Council Member DeFoor asked about the current process for reimbursing requested attorney fees and about privacy issues. Mr. Phillips said that privacy is subject to public records laws and invoices must be disclosed upon request. There is an office policy about processing requests – he looks at the bills and assesses reasonableness, certifies that they are reasonable and reimbursable to the OGC office manager, and then bills are paid if the person is exonerated of the charges/investigation. He knows of another Florida jurisdiction that has this disclosure requirement and has not yet been legally challenged.

In response to a question from Ms. DeFoor about whether having a standard hourly rate cap would help the OGC, Mr. Phillips said this bill will help OGC to develop standard policies and procedures for processing reimbursement requests which is a good idea. This is a relatively rare occurrence since OGC typically defends employees in most cases unless they don't want OGC representation. OGC recommends competent, experienced attorneys charging reasonable rates to those people if they ask.

Ms. Cumber said the bill doesn't apply to employees who are formally charged or indicted unless they're exonerated. The media search City records looking for things of potential interest so a certified letter notifying the OGC of hiring an attorney opens the employee/official up to public speculation about what they've done wrong to need an attorney. Even if the case is unfounded and you don't apply for reimbursement until after the case is over, you would have to go through a public City Council process to get reimbursed and that's just bad for the privacy of the official. Currently cases can be handled quietly without attention that this bill would eliminate. She doesn't like the chilling effect and doesn't think the bill is needed. Council Member Salem said he's opposed at this point because the attorneys on the committee all seem to have concerns. He suggested withdrawing the bill and re-introducing a fee cap bill without the advance notice provisions because of the privacy implications.

Council Member Dennis said reimbursement is only available to those who are exonerated. He understands the privacy concerns and is willing to strike the 30 day advance notice if the legal invoices are posted on the OGC's web site within 30 days after they're received so the public can find out what's happening and who is getting paid, retroactive back to January 2020. Public officials are going to be scrutinized and criticized and that's just the nature of being an elected official – it goes with the job. Ms. Priestly Jackson said she didn't think this issue is ready for action yet; she needs to know who has been getting private attorneys up to now. There are so many things going on now that should be allowed to play out before Council makes a decision that

might have unintended consequences on the people involved. She is particularly uncomfortable with the inclusion of criminal cases in the ordinance.

Chairman Carlucci said he's concerned about who will be responsible for keeping the legal fee cap up to date. Elected officials are naturally subject to more criticism and scrutiny than other public employees, so he feels like the privacy standard in this regard should be different for them. Council Member Dennis accepted deferral of the bill, but said he will be at every meeting to keep pushing for action. Ms. Priestly Jackson said at the Rules Committee she will defer the bill and will invite members to pose questions to OGC for answers at the next Rules meeting.

**DEFER At the request of CM Dennis**

6. [2020-0529](#) ORD-MC Amending Chapt 120 (General Employees & Correction Officer Pension Plans & all Employees Defined Contribution Retirement Plans), Pt. II (The General Employees Retirement Plan), Sec.120.206 (Time Svc Retirement Benefit; Cost of Living Adjustments), Ord Code, to Provide a 6 Month Window for Early Retirement as Follows: (1) Retirement at the Age of 60 w/5 Yrs Credited Svc; (2) Retirement at the Age of 55 w/10Yrs Credited Svc; & (3) Early Retirement w/20 Yrs. Credited Svc with a Reduced Benefit; Providing for Codification Instructions; Requirement of Actuarial Report; Requiring Collective Bargaining Where Applicable. (Sawyer) (Introduced by CM Dennis)  
 8/25/20 CO Introduced: NCSPHS, TEU, F, R  
 8/31/20 NCSPHS Read 2nd & Rerefer  
 8/31/20 TEU Read 2nd & Rerefer  
 9/1/20 F Read 2nd & Rerefer  
 9/1/20 R Read 2nd & Rerefer  
 9/8/20 CO PH Read 2nd & Rereferred;NCSPHS, TEU, F, R  
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

Mr. Peterson handed out the Finance Department's actuarial analysis overview and CFO Joey Greive described the scenarios the actuary modeled. Unfunded liability goes up somewhat under this proposal, but salary costs go down. The administration needs to negotiate with the unions on this issue before anything can happen. Council Member Salem asked Mr. Greive to appear at the next TEU Committee meeting for a deep discussion. In response to a question from Council Member DeFoor about what the potential salary savings could be from early retirements, Mr. Greive said he didn't want to talk about that in public because of the collective bargaining process, but he will meet with her privately to discuss the estimates. Council Member Dennis said he anticipates a substitute bill being offered when all the details are worked out and union negotiations are held. Council Member Priestly Jackson asked if the employee numbers in the actuarial study (from October 2019) be updated to October 2020. Mr. Greives said the next actuarial review will come out typically in February or March of 2021 for the end-of-2020 employment figures. The 2019 numbers are good enough to make a reasonable decision.

**DEFER At the request of CM Dennis**

7. [2020-0541](#) ORD Approp \$798,124.00 in Northbank CRA Investmnt Pool Earnings & Interest Income to Existing CRA Planned Auth Expenditure Programs (\$300,000 to Urban Art, \$250,000.00 to Loans, & \$247,124.00 to Retail Enhancement Program). (B.T. 20-071) (McCain) (Req of Mayor)  
8/25/20 CO Introduced: NCSPHS, F  
8/31/20 NCSPHS Read 2nd & Rerefer  
9/1/20 F Read 2nd & Rerefer  
9/8/20 CO PH Read 2nd & Rereferred;NCSPHS,F  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

**DEFER At the request of DIA**

8. [2020-0557](#) ORD-MC re the Annual Review of Fees; Amend Sec 106.112 (Annual Review of Fees), Chapt 106 (Budget and Accounting Code), Ord Code, to Remove the Provision that Allows for Fee Increases to become Effective Upon the Chief Finance Officer Filing Changes to the Fee Structure w/ the Council Secretary. (Sidman) (Introduced by CM Cumber) (Co-Sponsored by CM's Diamond, Bowman, Pittman, Freeman White, Becton, R. Gaffney, Morgan, Salem, Ferraro, Wilson, DeFoor & Priestly Jackson)
- 9/8/20 CO Introduced: NCSPHS, TEU, F, R  
 9/14/20 NCSPHS Read 2nd & Rerefer  
 9/14/20 TEU Read 2nd & Rerefer  
 9/15/20 F Read 2nd & Rerefer  
 9/15/20 R Read 2nd & Rerefer  
 9/22/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R  
 10/5/20 NCSPHS Amend/Approve 7-0  
 10/5/20 TEU Amend(NCSPHS)/Approve 7-0  
 10/6/20 F Amend(NCSPHS)/Approve 7-0  
 10/6/20 R Amend(NCSPHS)/Approve 7-0  
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/22/20

Council Member Cumber explained the amendment to clarify that any fee changes would be made via legislation. Council Members DeFoor and Priestly Jackson asked to be added as co-sponsors.

Ms. Cumber explained rationale for the bill to make fee increases a policy decision by Council rather than an automatic process. The fee analysis needs to be done annually without having automatic increases, and Council needs to stop doing the annual budget ordinance waiver of the analysis. She said

the administration has been asking for the waiver because of the automatic increase trigger, so getting rid of the trigger should solve the waiver problem. Council will make policy decision on the fees with good information from the fee review. Council Member Salem said that enterprise fund charges are different from other user fees and questioned whether they all need to be reviewed every year. Ms. Cumber reiterated that the bill just removes the automatic trigger and doesn't change how and when fee review needs to be done. Mr. Salem noted raising fees charged as special assessments entails a process required by state law and takes longer to happen with public hearings, etc. Council Member

DeFoor was very supportive of the bill because Council needs to know what the fees are covering or not covering. Chairman Carlucci asked how many fees there are and how they are adjusted from year to year. Kim Taylor said there are several hundred fees. Joey Greive said they don't have automatic CPI adjustments; any changes are the result of fee reviews and requests to Council for changes. Mr. Carlucci felt the fee changes should be an administrative function to analyze and keep them up to date periodically. If left to Council then it gets to be a political or parochial district issue rather than a pure analytical decision, and Council only acts if it feels like a fee is too high to reduce it. Council Member Cumber asked when was the last year a fee review was done and not waived. Mr. Greive thought it was about 2015. He said up-to-date information is needed to make good decisions.

**AMEND(NCSPHS)/APPROVE**

**Aye:** 7 - Carlucci, DeFoor, Salem, Priestly Jackson, Morgan, Cumber and Wilson

**NCSPHS AMENDMENT****Clarify that any fee changes will be approved through legislation**

9. [2020-0559](#) ORD-MC Creating a New Chapt 797 (Local Option Vessel Registration Fee), Ord Code, Adopting the Local Option Vessel Registration Fee Permitted by State Law; Setting Effective Date of New Local Option Vessel Registration Fee as 1/1/21; Directing the Chief of Legislative Svcs to Forward a Copy of the Ord Upon Enactment to the Tax Collector & to the Mayors of Baldwin, Atlantic Beach, Jax Beach & Neptune Beach; Directing the Tax Collector to Notify the State of Imposition of the New Local Option Vessel Registration Fee. (Johnston) (Introduced by CM Dennis)  
 9/8/20 CO Introduced: NCSPHS, TEU, F, R, JWC  
 9/14/20 NCSPHS Read 2nd & Rerefer  
 9/14/20 TEU Read 2nd & Rerefer  
 9/15/20 F Read 2nd & Rerefer  
 9/15/20 R Read 2nd & Rerefer  
 9/22/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R, JWC  
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/22/20

**DEFER At the request of CM Dennis**

10. [2020-0583](#) ORD Approp \$69,792.00 from U.S. Dept of Justice, Bureau of Justice Assistance, for the State Criminal Alien Assistance Prog. (B.T. 20-113) (McCain) (Req of Sheriff)  
 9/22/20 CO Introduced: NCSPHS, F  
 10/5/20 NCSPHS Read 2nd & Rerefer  
 10/6/20 F Read 2nd & Rerefer  
 Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

11. [2020-0586](#) ORD Apv & Auth the Mayor, his Designee, & Corp Secretary to Execute & Deliver the Amended & Restated Use Agreemnt btwn the City of Jax & SZH Hockey, LLC. for use of the VyStar Veterans Memorial Arena, located at 300 A. Phillip Randolph Blvd, Jax, FL 32202, by the Jax Icemen Ice Hockey Team; Oversight by Sports & Entertainmnt Div of Parks, Rec & Comm Svcs Dept. (McCain) (Req of Mayor) (Co-Sponsored by CM Cumber)  
 9/22/20 CO Introduced: NCSPHS, F  
 10/5/20 NCSPHS Read 2nd & Rerefer  
 10/6/20 F Read 2nd & Rerefer  
 Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

12. [2020-0587](#) ORD Approp \$100,000.00 from the Northwest Jax Economic Dev Fund (NWJEDF), Interest Income, to the NWJEDF, Subsidies & Contributions to Private Orgs, for Purpose of Providing Northwest Jacksonville Business Infrastructure Grant (The "Big Grant") to Phoenix Products, LLC, to Support the Construction of New Administrative Bldg; Making Certain Findings & Auth the Mayor, his Designee, & Corp Secretary to Execute & Deliver for & on Behalf of the City, the Economic Dev Agreement btwn the City & Company; Auth Apvl of Technical Amendmnts by Executive Director of the Office of Economic Dev (OED); Affirming the Proj's Compliance with NWJEDF Guidelines Apvd & Adopted by Ord 2016-779-E; Oversight by the OED.  
(B.T. 20-118) (Sawyer) (Req of Mayor)  
9/22/20 CO Introduced: NCSPHS, F  
10/5/20 NCSPHS Read 2nd & Rerefer  
10/6/20 F Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

13. [2020-0588](#) ORD Auth the Mayor & Corp Secretary to Execute a 2nd Amendmnt to the Contract with Jacksonville University to Renew the Contract for a 2nd Addnl Yr for Continuing Manatee Protection Studies for FY 2020-2021, & to Include the Continuing Task for a Boater Speed Zone Compliance Study, Subject to Appropriation by City Council. (Grandin) (Introduced by CM Ferraro) (Co-Sponsored by CM Morgan)  
9/22/20 CO Introduced: NCSPHS, F, JWC  
10/5/20 NCSPHS Read 2nd & Rerefer  
10/6/20 F Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

14. [2020-0590](#) ORD Approp \$6,700.00 in Fund Balance from Environmental Protection Fund (The "Fund") to Provide Funding for Completion of 4-Yr, Comprehensive Study of Mercury in the Duval County Environment; Providing for Carryover of Fund thru 9/30/21; Provide for Waiver of Sec 111.755 (Environmental Protection Fund), Part 7, (Environment & Conservation), Chapt 111 (Special Rev & Trust Accounts), Ord Code, to Auth the Environmental Protection Board (EPB) to Utilize Funds from the Fund to Purchase Equipmnt to be Used During Mercury Study; Invoking the Exception of Sec 126.107(G), Chapt 126, Ord Code, to Allow for Direct Contract with Jacksonville University (JU) for the Mercury Study; Providing for Waiver of Sec 360.602, (Uses of Fund), Part 6 (Environmental Protection Fund), Chapt 360 (Environmental Regulation), Ord Code, to Auth EPB to Utilize Funds to Purchase Equipmnt to be Used During Mercury Study; Apv & Auth the Mayor, his Designee, & Corp Secretary to Execute & Deliver for & on behalf of the City, Any Amendmnts to Agreemnt btwn City of Jax & JU to Effectuate the Intent of this Ord; Oversight by Neighborhoods Dept, Environmental Quality Div; Requiring a Final Report. (B.T. 20-114) (Staffopolous) (Req of Mayor) (Co-Sponsored by CM Morgan)  
9/22/20 CO Introduced: NCSPHS, TEU, F, R, JWC  
10/5/20 NCSPHS Read 2nd & Rerefer  
10/5/20 TEU Read 2nd & Rerefer  
10/6/20 F Read 2nd & Rerefer  
10/6/20 R Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

15. [2020-0591](#) ORD Making Certain Findings & Auth the Mayor, his Designee, & Corp Secretary to Execute: (1) Redevelopment Agreement btwn the City of Jax & Armory Redevelopment Associates, LLC; (2) Lease Agreement Btwn the City of Jax & Armory Redevelopment Associates, LLC (“Developer”); (2) A lease Agreement btwn City of Jax & Armory Redevelopment Associates, LLC with an Initial Lease Term of 40 Yrs; (3) A Quitclaim Deed with Right of Reverter Conveying a City-Owned Parcel of Land to the Developer;& (4) Related Agreements as Described in the Redevelopment Agreement, for the Renovation & Lease of Armory Building, to Provide for the Purchase by the Developer of Adjacent 2.97± Acre of City-Owned, Improved Property, located at 928 Liberty St, to be Developed into Approx 100 Residential Units, & Provide an Option to Developer to Purchase the Armory Building for a Period of 15 Yrs from the Effective Date of Lease at Purchase Price of \$2,749,975.00 with Annual Increases As Set Forth in Lease; Designate Office of Economic Dev as Contract Monitor for the Redevelopment Agreement, Lease; Designating the OED as Contract Monitor for the Redevelopment agreement, Lease, Quitclaim Deed & Related Agreements; Oversight By Dept of Public Works & OED; Auth Execution of All Docs Related to Above Agreements & Transactions, & Auth Technical Changes to the Docs.(Sawyer) (Req of Mayor)  
 9/22/20 CO Introduced: NCSPHS, TEU, F, R  
 10/5/20 NCSPHS Read 2nd & Rerefer  
 10/5/20 TEU Read 2nd & Rerefer  
 10/6/20 F Read 2nd & Rerefer  
 10/6/20 R Read 2nd & Rerefer  
 Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**

16. [2020-0592](#) ORD Apv Isle of Palms Special Dist Amended FY 2020-2021 Budget, per Ord 2011-724-E & Sec 189.02 F.S. (Johnston) (Introduced by CP Hazouri, per Ord 2011-724-E)  
 9/22/20 CO Introduced: F  
 10/6/20 F Read 2nd & Rerefer  
 Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**READ 2ND & REREFER**



### Public Comment

Carnell Oliver said Council Member Dennis tries to make people think with his proposals and that's a good thing. He thinks an Urban Core Development Authority would be more effective in improving challenged neighborhoods than what has been tried over the years.

Stanley Scott (via Zoom) of the African American Economic Recover Think Tank said that nothing has changed in Jacksonville since the 1940s because of a failure of leadership. The leadership of the city is not concerned with what's happening in the neighborhoods and doesn't spend enough time reaching out to find out what people really think. Workshops are needed to engage the community and solicit ideas.



**Council Auditor's Office  
2020-527****Overall Summary**

- Amends Ord. Code Section 111.910 on the Historic Preservation and Revitalization Trust Fund ("HPRTF") and adopts revised guidelines
- Creates a new Part 3 within Ord. Code Ch. 55 to establish a Downtown Preservation and Revitalization Program ("DPRP") and adopts guidelines for the program
- Revises the City's Public Investment Policy to incorporate the guidelines
- Provides for a 90 day phase-in period for new guidelines

**HPRTF Summary**

- Maximum grant amount of \$100,000 per project (formerly \$1,000,000)
- Grants will have a five year term, forgiven 20% per year, with a clawback in the event of sale, transfer, or default
- Approved by DIA without further Council action, subject to availability of unencumbered funds
- Project must be located within DIA boundary
- Structures must either be designated a local historic landmark or have submitted an application for designation at time of application for HPRTF funding and must be designated prior to disbursement of funding
- All work must be reviewed and approved by the Planning and Development Department
- Revises funding limits to 20% - 75% of eligible costs based on the type of rehabilitation
- Establishes a maximum funding level of 40% of total development costs ("TDC")
- Requires minimum developer equity of 10% of TDC
- Establishes a minimum ROI of 0.50x

**DPRP Summary**

- Project must be located within DIA boundary
- Designed to support projects in excess of \$100,000
- Each project requires City Council approval
- Three general funding components – Historic Preservation Restoration and Rehabilitation Forgivable Loan, Code Compliance Renovations Forgivable Loan, and Downtown Preservation and Revitalization Program Gap Loan
- Requires minimum developer equity of 10% of TDC
- Establishes a minimum ROI of 0.50x
- All agreements include clawback language
- Establishes total City funding limits of 25% - 50% depending on developer equity and local landmark status

**Historic Preservation Restoration and Rehabilitation Forgivable Loan ("HPRR Forgivable Loan")**

- Building must be designated as a local historic landmark in order to receive funding
- Funding not to exceed 30% of TDC and limited to 20% - 70% of eligible costs based on

**the type of rehabilitation**

- Structured as a 5-year, interest-free forgivable loan

**Code Compliance Renovations Forgivable Loan (“CCR Forgivable Loan”)**

- Building not required to be a local historic landmark but must be a contributing structure in the Downtown National Historic District or be at least 50 years old
- May include up to 75% of eligible costs for bringing the property up to Code, including costs of environmental remediation or abatement and costs related to fire and safety requirements
- Funding not to exceed 30% of TDC when the building is a locally designated landmark or 25% of TDC when the building is not designated a local landmark
- Structured as a 10-year, interest-free forgivable loan

**Downtown Preservation and Revitalization Program Gap Loan (“DPRP Gap Loan”)**

- Loan will be not less than 20% of gap funding where developer equity (net of developer fee) is less than 25% of TDC
- Gap loan may not exceed 20% of TDC and may not be used on a stand alone basis
- Structured as non-amortizing 10-year loan, with interest payable annually equal to the 10 year Treasury note rate at the time of closing
- Partial principal reductions may be made after the 5th anniversary with no prepayment penalty, however, 50% of the loan balance must remain outstanding through the loan maturity date unless the property is sold or refinanced

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

**NOTE: The next regular meeting will be held Tuesday, October 20, 2020.**

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 Matt Carlucci, Vice Chair Randy DeFoor, Council Member Ron Salem, Council Member Brenda Priestly Jackson, Council Member Joyce Morgan, Council Member LeAnna Cumber and Council Member Scott Wilson

Jeff Clements, Council Research Division  
904-255-5137 jeffc@coj.net  
Posted 10.7.20 5:30 p.m.