

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes

Thursday, September 14, 2023

1:00 PM

Council Chamber
1st Floor, City Hall

Jacksonville Waterways Commission

CM Jimmy Peluso, Chair

CM Mike Gay, Vice Chair

CM Tyrona Clark-Murray

CM Ken Amaro, Alternate

Jon Michael Barker

Robert Birtalan

Lane Burnett

Representative Kiyon Michael

Mark Devereaux

Andrew Fraden

Marc Hardesty

Richard Hartley

Richard J. Redick, Excused Absence

Jill Haskell - General Public Rep.

Marshall Adkison, Ex-Officio

Adam Hoyles, Ex-Officio

Barbara Ireland Hobson, Legislative Assistant

Rebecca Bolton, Legislative Assistant

Rita Mairs, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Jeff Clements, Chief of Research

Meeting Convened: 1:00 pm**Meeting Adjourned: 3:07 pm****1. Call To Order**

Chair Peluso welcomed the group, called for introductions and asked each member to give a brief description of their background.

Present 14 - Commissioner Jon Michael Barker, Commissioner Robert Birtalan, Ex-Officio Marshall Adkison, Ex-Officio Adam Hoyles, Commissioner Andrew Fraden, Commissioner Richard Hartley, Commissioner Tyrona Clark-Murray, Commissioner Kiyan Michael, Commissioner Mark Devereaux, Commissioner Lane Burnett, Commissioner Marc Hardesty, Commissioner Jill Haskell, Chair Jimmy Peluso, and Vice Chair Mike Gay

Excused 1 - Commissioner Richard Redick

2. Roll Call**3. Approval of Minutes**

The previous meeting minutes were approved unanimously.

4. Presentations**Sunshine Presentation**

Rita Mairs, OGC, gave an overview of the Sunshine Law, as related to member to member communications and noticed public meetings. The Sunshine Law applies when two or more individuals on the same board (or council) discuss an issue that may come before their body (this applies to boards and commissions with elected and/or appointed members, including members-elect who have not yet taken office). She explained the requirements for record retention, including text messages. Mr. Fraden asked how long records must be retained. Ms. Mairs said she will report back as to the amount of years records must be saved.

Contact:
Rita Mairs, OGC

FIND

a. Discussion and selection of Find Grant Subcommittee Members

Janet Zimmerman, FIND Assistant Executive Director, gave a presentation about the Florida Inland Navigation District. The Navigation District consists of the twelve counties along the east coast of Florida from Nassau through Miami-Dade County. The Governor appoints a commissioner from each county to serve on the Navigation District's Board of Commissioners. The Board levies a real property tax on all property within the District's boundaries to generate the funds necessary to fulfill the District's responsibilities.

Chair Peluso asked about derelict vessels damaged in storms and hurricanes. Ms. Zimmerman said the Florida Fish and Wildlife Conservation Commission's Office of Boating and Waterways maintains a database of known derelict vessels that have been previously reported or documented by the State.

Brian Burket, Parks Department, explained the timeline for FIND projects and said the new list of applications for this year are being reviewed currently. The JWC members discussed the composition of the FIND subcommittee, which will include: Ms. Haskell, Mr. Fraden, Mr. Hartley, Mr. Barker, Mr. Hoyles and Mr. Birtalan.

Contact:

Janet Zimmerman, Assistant Executive Director

Brian Burkett, COJ Parks

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

Dr. Pinto gave a brief report on the water quality in the river. Chair Peluso asked about causes of algae blooms. Dr. Pinto said blooms are caused a combination of nutrients, heat and rain, impacted by environmental factors like septic runoff, pesticides and wildlife. Dr. Pinto mentioned the symposium at UNF on October 13th, at which this year's State of the River Report will be presented.

Contact:

Dr. Gerard Pinto, JU

6. Old Business**Selection of St. Johns Water Shoaling Subcommittee Members**

The members discussed who would be on the Shoaling subcommittee. There some concerns raised about maintaining quorum for meetings and the possibility of remote meetings. Ms. Mairs said that per state law a physical quorum presence is required, so Zoom meetings are no longer an option. Mr. Devereaux asked about off site meetings, possibly at a City boat ramp. Ms. Mairs said that per Sunshine Law, the JWC meetings need to be open and accessible to the public, which may be challenging at a boat ramp. Additionally it would be difficult for staff to attend for the required taking of minutes and recording/taping the meeting.

The JWC members decided that the composition for the Shoaling subcommittee will be: CM Gay, Mr. Hardesty, Mr. Devereaux and Mr. Hoyles.

Contact:
Chair Peluso

7. New Business

Discussion and Selection of St. Johns River Accord Subcommittee

CM Peluso talked about the St. Johns River Accord signed in 2006 by state and local government agencies (City Hall, JEA, the St. Johns River Water Management District and state Department of Environmental Protection) marking a 10-year commitment to spend \$700 million improving the health of the St. Johns River in this part of the state. The Accord committed to reduce the amount of nitrogen discharged into the river by: phasing out older technology wastewater treatment plants; improving other wastewater treatment plants and build expand re-use of treated wastewater for irrigation of lawns, parks, and golf courses; eliminating failing septic tanks; capturing and treating stormwater before it enters the river. CM Peluso said he would like to consider a new iteration of the Accord and identify what has been achieved and what is left to be done. The composition of the River Accord subcommittee will be: CM Peluso, Mr. Barker, Mr. Hartley and Mr. Hoyles.

Contact:
Chair Peluso

[2023-0537](#) ORD Adopting a Small-Scale Amendmnt to the FLUM 2045 Comp Plan at 0 & 1010 Mill Creek Rd, btwn Regency Square Blvd N & Libby Rd S - (4.24± Acres) - CGC to MDR - 1010 Mill Creek, LLC (R.E. # 120877-0010 & 121150-0100) (Appl # L-5838-23C) (Dist. 1-Amaro) (Lukacovic) (LUZ) (JWC Apv)
(Rezoning 2023-538)
8/22/23 CO Introduced: LUZ, JWC
9/6/23 LUZ Read 2nd & Rerefer
9/12/23 CO Read 2nd & Rerefer
LUZ PH - 10/3/23
Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code -
9/26/23 & 10/10/23

Mr. Lukacovic, Planning Department, gave a presentation about the small scale amendment to the 2045 Comprehensive Plan related to the rezoning on Mill Creek Road. Wyman Duggan, on behalf of the applicant, spoke in support. Mr. Duggan indicated that there will be no impact to the adjacent wetlands. CM Gay asked about soil types. Mr. Barker asked about utilities.

JWC approved 2023-537 unanimously.

2023-0561

ORD Apv & Auth the Mayor, or Her Designee, & Corp Sec to Execute & Deliver a 1st Amendment to Grant Agrmt btwn the City & Mayport Waterfront, Inc. to: (1) Extend the Term of the Agrmt for a Period of 1 Yr to 9/30/24; (2) Amend the Scope of Svcs to Increase the No. of Fundraising Events & the Fundraising Goal; (3) Auth 2 Advance Payments for the Remaining Balance of Grant Funds to Recipient, the 1st in the Amt of \$62,000 Due on 10/30/23, & the 2nd in the Amt of \$36,000 Due on 1/31/24; & (4) Certain Other Amendments as Set Forth in the Amendment Auth Hereby; Waiving Sec 118.201 (f) (7) (Release of Appropriations), Pt 2 (Disbursement of City Grants), Ch 118 (City Grants), Ord Code, to Allow for Advance Payments to the Recipient; Prov for City Oversight by OED (Sawyer) (Req of Mayor) (Co-Sponsors CMs Peluso, Diamond, Salem, Freeman, Carlucci, Gay, Miller, Carrico, White, Pittman, Arias, Gaffney, Jr., Lahnen & Howland) (JWC Apv)
8/22/23 CO Introduced: NCSPHS, R, F, JWC
9/5/23 NCSPHS Read 2nd & Rerefer
9/5/23 R Read 2nd & Rerefer
9/6/23 F Read 2nd & Rerefer
9/12/23 CO PH Read 2nd & Rerefer
9/18/23 NCSPHS Amend/Approve 7-0
9/18/23 R Amend/Approve 7-0
9/19/23 F Amend/Approve 7-0
Public Hearing Pursuant to Ch 166, F.S. & CR 3.601 - 9/12/23

Wendy Khan, OED, explained the bill and the work of the Mayport Waterfront Inc. organization to activate the Mayport Village area. The waiver to permit advance payments instead of the customary reimbursements is due to the Mayport group being an all-volunteer entity with limited resources. Representative Kiyan Michael asked about cooperation with the Navy. Mr. Gulliford, representing Mayport Waterfront Inc., said that they have an ex-officio member from the Navy, Mark McManus. The funds provided through this bill will enable the Mayport group to develop an economic development revitalization and implementation plan for Mayport Village. JWC approved 2023-561 unanimously.

2023-0604 ORD Apv & Auth that Certain Settlement Agrmt btwn the City & Franklin Dodd, Jr., as Trustee, Under Land Trust #055660 Dated 1/17/13, & Auth the Mayor, or Her Designee, & the Corp Sec to Execute & Deliver All Closing & Other Docs Relating Thereto, & to Otherwise Take All Action Necessary to Effectuate the Purposes of the Agrmt, for Acquisition by the City, at the Negotiated Settlement Price of \$180,000 in Lieu of Eminent Domain, of the Parcel Located at 281 King St, Jax, FL (R.E. #055660-0000) in Council Dist 7, to be Used for the McCoy's Creek Restoration Proj; Prov for Oversight of Acquisition of the Property by the Real Estate Div of the Dept of Public Works & Thereafter by the Dept of Public Works (Garrett) (Req of Mayor) (JWC Apv)
9/12/23 CO Introduced: F, TEU, JWC
9/19/23 F Read 2nd & Rerefer
9/19/23 TEU Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & CR 3.601 - 9/26/23

Renee Hunter, Chief of Real Estate, explained the bill which approves an eminent domain settlement agreement for the City to acquire a parcel of property located at 281 King Street pursuant to a negotiated agreement in lieu of eminent domain proceedings. John Nooney provided public comment on this item. JWC approved 2023-604 unanimously.

2023-0615

ORD-MC Amend Various Secs of Ch 652 (Floodplain Management), Ord Code, to Incorporate the FL State Floodplain Management Office's Recommendations for the City to Maintain Current Ratings with the National Flood Insurance Program Community Rating System; Directing that the Local Technical Amends to the FL Bldg Code Previously Accomplished in Sec 321.109 (Elevation Requirements), Ch 321 (Adoption of Bldg Code), Ord Code, Now be Prov in the Land Dev Procedures Manual by the Dev Svcs Div of the Planning & Dev Dept to Enable the Public to Have Easy Access to Those Amends; Repealing Sec 321.109 (Elevation Requirements), Ch 321 (Adoption of Bldg Code), Ord Code, in its Entirety; Creating a New Sec 321.109 (Elevation Requirements), Ch 321 (Adoption of Bldg Code), Ord Code, So That the Local Tech Amends Made to the FL Bldg Code Read Correctly Both On-Line & In Printed Form; Amend Sec 321.110 (Substantial Damage & Substantial Improvement Definitions), Ch 321 (Adoption of Bldg Code), Ord Code, to Remove Reference to the Edition of the FL Bldg Code; Amend Sec 652.203 (Basis for Estab Flood Hazard Areas), Pt 2 (Applicability), Ch 652 (Floodplain Mgmt), Ord Code, to Update the Effective Date of the Flood Insurance Rate Maps; Amend Sec 652.705 (Historic Bldgs), Pt 7 (Variances & Appeals), Ch 652 (Floodplain Mgmt), Ord Code, to Update the Ch of the Bldg Code; Creating a New Sec 652.709 (Certain Non-Elevated Accessory Structures), Pt 7 (Variances & Appeals), Ch 652 (Floodplain Mgmt), Ord Code, to Address Variances for Certain Non-Elevated Accessory Structures in a Special Flood Hazard Area; Amend Sec 652.900 (General), Pt 9 (Definitions), Ch 652 (Floodplain Mgmt), Ord Code, to Delete a Reference to Sec 652.900 (General), to Add & Revise Definitions, & Incorporate the Local Tech Amends Made to the Definitions of "Substantial Damage" & "Substantial Improvement"; Amend Sec 652.1001 (Bldgs & Structures), Pt 10 (Flood Resistant Dev), Ch 652 (Floodplain Mgmt), Ord Code, to Increase the Finished Floor Elevation Requirement in Flood Areas; Repealing Secs 652.1100 (Subdivisions), Sec 652.1200 (Site Improvements, Utilities & Limitations), Sec 652.1300 (Manufactured Homes), Sec 652.1400 (Recreational Vehicles & Park Trailers), Sec 652.1500 (Tanks), & Sec 1600 (Other Dev), Pt 10 (Flood Resistant Dev), Ch 652 (Floodplain Mgmt), Ord Code, in Their Entirety; Creating New Pts to Ch 652 (Floodplain Mgmt), Ord Code, Specifically: Pt 11 (Flood Resistant Dev - Subdivisions), Pt 12 (Flood Resistant Dev - Site Improvements, Utilities & Limitations), Pt 13 (Flood Resistant Dev - Manufactured Homes), Pt 14 (Flood Resistant Dev - Recreational Vehicles & Park Trailers), Pt 15 (Flood Resistant Dev - Tanks) & Pt 16 (Flood Resistant Dev - Other Dev), to Maintain Consistency in Formatting, Incorporate the Changes Required by the State Office of Floodplain Mgmt, Increase the Finished Floor Elevation Requirement in Flood Areas & Revise the Info to be Required on the Plat of a Subdivision in Flood Areas; Amend Sec 654.126 (Design Standards: Lots), Ch 654 (Code of Subdivision Regulations), Ord Code, to Incorporate Certain Elevation Requirements Previously Estab by the Council Thru Local Technical Amend to the FL Bldg Code; Prov for Applicability; Prov for Severability; Prov for Codification Instructions (Grandin & Sample) (Req of Mayor) (JWC Apv) 9/12/23 CO Introduced: NCSPHS, R, TEU, LUZ, JWC

9/18/23 NCSPHS Read 2nd & Rerefer
9/18/23 R Read 2nd & Rerefer
9/19/23 TEU Read 2nd & Rerefer
9/19/23 LUZ Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 9/26/23

Susan Grandin, OGC, explained the bill which amends Ordinance Code Chapter 652 – Floodplain Management – to incorporate recommendations from the Florida State Floodplain Management Office regarding agricultural and accessory structures, needed for the City to maintain its current ratings with the National Flood Insurance Program (NFIP) and to update the effective dates of the flood insurance rate maps. The bill makes changes in order to align the City's policy with FEMA's policy. JWC approved 2023-615 unanimously.

8. Public Comment

Mr. Nooney talked about artificial reefs.

9. Adjournment

At the next meeting there will be a presentation regarding Naval history.

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: Colleen Hampsey, Council Research

CHampsey@coj.net 904.255.5151

Posted: 9.22.23 5:00 pm