

# City of Jacksonville

1st Floor - Council Chamber  
117 W. Duval Street



## Meeting Minutes - Amended Special Meeting

Wednesday, October 28, 2020

1:00 PM

Virtual Meeting

## Jacksonville Waterways Commission

*CM Al Ferraro, Chair*

*CM Randy White, Vice Chair*

*CM Aaron Bowman - Excused Absence*

*CM Terrance Freeman, Alternate - Excused Absence*

*Robert Birtalan*

*Lindsey Brock - Excused Late Arrival*

*Matt Brockelman*

*Lane Burnett*

*State Rep. Cord Byrd - Excused Absence*

*Mark Devereaux*

*Marc Hardesty*

*Jill D. Haskell*

*Raymond S. Pringle, Jr. - Absent*

*Marshall Adkison, Ex-Officio*

*Adam Hoyles, Ex-Officio*

*Jessica Smith & Vonya Balogh, Legislative Assistants*

*Susan Grandin, Asst. General Counsel*

*Dr. Quinton White, Jacksonville University*

*Dr. Gerard Pinto, Jacksonville University*

*Richard Distel, Research Assistant*

*Jim Suber, Waterways Coordinator*

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 purpose, 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.

**RULE 4.505 DISRUPTION OF MEETING**

No member of the audience shall applaud nor make any noise or remarks that are audible to the Committee that would indicate approval or disapproval of anything being discussed. Any disregard of this rule may result in removal by the Sergeant at Arms.

**Note: Our next scheduled meeting is Thursday, November 12, 2020.**

**Meeting Convened: 1:02 PM**

**Meeting Adjourned: 2:19 PM**

Attendance:

CM Dennis (2020-559)

**New Business**

1. [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  
11/2/20 NCSPHS Sub/Approve 6-0  
10/28/20 JWC Approve 1-7 (Birtalan, Haskell, Burnett, Devereaux, Hardesty, Ferraro, White) (Fail)  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/22/20

**Lindsey Brock sent an email on October 27th which stated his opposition to the ordinance which was read into the record. Marc Hardesty echoed the statements of Commissioner Brock and said he is against the tax because it doesn't put the money into a specific place. CM Dennis talked about the importance of the bill and that the monies will not go into the General Fund, but will be put into a maintenance fund that is already setup. He said there are needs all over the city and that it is important to focus on these priorities. The Auditor's report said that the fee will create about \$250,000 to \$300,000 annually which will go only towards boat ramps and docks. CM Dennis also stressed that other counties have this fee.**

**Marshall Adkison said this will only be seen as more of a tax towards boaters. Mr. Adkison asked about the money yielded from fishing tournaments. Mr. Hoyles says he finds it weird that nobody wants to pay for improvements of boat ramps and docks. Paige Johnston, Office of General Counsel, explained the fee is proportional to the boat's size. Mr. Hoyles said he supports the bill. Mr. Hardesty asked who is in control of the money when it comes in. Ms. Johnston explained the ranges of fees for the different boat sizes. CM Dennis said that the money will go into a trust fund that is designated for dock maintenance. He agreed with the statement that every year the Commission is looking for money in the General Fund, but it is not there and now it can be in a fund for Waterways' use. Ms. Johnston explained the vessel registration fee and the local option vessel registration fee with a handout. Ms. Johnston explained how the fees could go towards derelict vessels. Ms. Johnston explained the oversight which comes from the Parks Department and the Finance Committee. Mr. Adkison said he is not against this effort, but wants to make sure the money actually goes back into the waterways. Ms. Haskell said she is not sure these funds will go towards the waterways. CM Dennis clarified that the money can only go towards**

**boater funding and that the Parks Department will be in charge of the oversight. CM White said he supports Lindsey Brock's letter. CM Ferraro said he does not support a tax when there are duplications of services which could go towards boater funds.**

**APPROVE (FAIL)**

**Aye:** 1 - Brockelman

**Nay:** 7 - Birtalan, Haskell, Burnett, Devereaux, Hardesty, Ferraro, and White

**Excused:** 3 - Brock, Byrd, and Bowman

**Absent:** 1 - Pringle

2. [2020-0589](#) ORD-MC Amending Chapt 34 (Neighborhoods Dept), Part 3 (Municipal Code Compliance Div), Sec 34.301 (Establishment; Functions); Amending Chapt 34 (Neighborhoods Dept), Part 4 (Environmental Quality Div), Sec 34.401 (Establishment; Functions) & Creating a New Sec 34.403 (Enforcement Officers); Amending Chapt 360 (Environmental Regulation), Part 1 (Public Policy; General Provisions), Sec 360.107 (Administration); Amending Title X (Environmental Affairs) to Create a New Chapt 388 (Boats & Waterways), Ord Code; Providing for Codification Instructions. (Grandin) (Introduced by CM Ferraro) (Co-Sponsored by CM's Diamond, Bowman, White, Pittman, Freeman, Becton, Cumber, R. Gaffney, Wilson, Salem & Morgan)  
9/22/20 CO Introduced: NCSPHS, TEU, JWC  
10/5/20 NCSPHS Read 2nd & Rerefer  
10/5/20 TEU Read 2nd & Rerefer  
10/13/20 CO PH Read 2nd & Rereferred: NCSPHS, TEU, JWC  
10/28/20 JWC Sub/Approve 7-1 (Burnett)  
11/2/20 NCSPHS Sub/Approve 6-0  
11/2/20 TEU Sub(NCSPHS)/Approve 7-0  
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

**Susan Grandin, Office of General Counsel, detailed the ordinance. Ms. Grandin said that floating structures are now designated as a public nuisance. This bill created a new Chapter 388 (Boats & Waterways). Ms. Grandin detailed the enforcement of floating structures. The cost to the City to move the floating structure can be recouped. This money can go into the floating structures and derelict vessels fund. This bill will give the Neighborhoods Department the flexibility on enforcement. Melissa Long, Chief of Environmental Quality Division, said that Neighborhoods is in support and they are able to supply the boat for enforcement. Ms. Long said another person is not needed for the boat, but will be used for code enforcement. Ms. Grandin clarified that Neighborhoods Department is in control of the process because it is the department that does code enforcement.**

**SUB/APPROVE**

- Aye:** 7 - Birtalan, Brockelman, Haskell, Devereaux, Hardesty, Ferraro, and White
- Nay:** 1 - Burnett
- Excused:** 3 - Brock, Byrd, and Bowman
- Absent:** 1 - Pringle

### 3. Public Comment

**Captain Suber talked about the work staff has been doing for events on the Saturday after Thanksgiving for the boater parade.**

**David Seder talked about the people he knows in Florida politics. He said he was worried about elections and waterways.**

### 4. Adjournment

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** 8 - Commissioner Robert Birtalan, Commissioner Matt Brockelman, Commissioner Jill Haskell, Commissioner Lane Burnett, Commissioner Mark Devereaux, Commissioner Marc Hardesty, Chair Al Ferraro, and Vice Chair Randy White
- Excused** 4 - Commissioner Lindsey Brock, Commissioner Cord Byrd, Alternate Terrance Freeman, and Council Member Aaron Bowman
- Absent** 1 - Commissioner Raymond Pringle

Minutes: Richard Distel, Council Research Division  
rdistel@coj.net (904) 255-5140  
Posted 11.2.20 5:00 p.m.