

City of Jacksonville

117 W Duval St
Jacksonville, FL 32202



Meeting Minutes

Monday, November 2, 2020

2:00 PM

Council Chambers 1st Floor, City Hall & Virtual

Transportation, Energy & Utilities Committee

Ron Salem, Pharm. D., Chair

LeAnna Cumber, Vice Chair

Reggie Gaffney

Scott Wilson

Al Ferraro

Joyce Morgan

Danny Becton

Legislative Assistant: Sandra Nester

Legislative Assistant: Juliette Williams

Chief Office of General Counsel: Paige Johnston

Research Assistant: Anthony Baltiero

Asst. Council Auditor: Phillip Peterson

Administration: Rachel Zimmer

Planning Dept.: Laurie Santana

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: 2:00 PM

Meeting Adjourned: 3:36 PM

Attendance: Council Members Salem (Chair), Cumber (Vice Chair), Ferraro, Morgan, Gaffney, Wilson, Becton

Also: Anthony Baltiero, Yvonne Mitchell - Council Research; Paige Johnston - Office of General Council; Sharonda Davis, Vonya Balogh – Legislative Services; Phillip Peterson - Council Auditor's Office; Melanie Wilkes and Steve Cassada – Council Support Services

Anna Dooley, Greenscape of Jacksonville, gave a presentation regarding the City's Arbor Day Tree Giveaway event. Ms. Dooley noted that this year marks the 45th anniversary of Greenscape of Jacksonville. Jacksonville is considered to be a "tree city". As such, to hold this moniker, the City has to hold some type of annual Arbor Day event (not necessarily on the national Arbor Day holiday date). For approximately thirty years, the City has held an Arbor Day event where trees were sold at a discounted price to the public. Recent precedent has shown that many in the public will not buy a tree regardless of how low the price is. As such, this year the program will be giving trees away at no cost to the public. The event was originally scheduled for March of 2020 and then rescheduled to October of 2020 due to the COVID-19 pandemic. The event has been pushed further into the future and will be held at the Prime Osborn Convention Center and will be "COVID-19 conscious", meaning that people will stay in their vehicles and weave through the parking lot where the trees will be on display. Volunteers will be adhering to proper pandemic protocols. There will be nine different types of trees that people can choose from, including live oaks, river birch, tulip poplar, bald-cypress, magnolia, and two types of crape myrtles. Ms. Dooley thanked Council Member Morgan for bringing the event to the forefront and for being an active supporter of the Keep Jacksonville Beautiful Commission.

Chair Salem asked if Council Members would be able to volunteer at the event. Ms. Dooley said that the Council Members are more than welcome to come and help out at the event. Ms. Dooley noted that JSO will be present to assist with guiding traffic as she anticipates a large turnout.

Council Member Morgan thanked Ms. Dooley for her work on this program and encouraged the Council and any other organization to send volunteers to help with the event. Dan Durbeck, Environmental Programs Specialist, is the point of contact for volunteering.

Item/File No.	Title History
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1. [2020-0419](#) ORD MC Relating to JEA & Article 21 (JEA), Charter of the City of Jax; Repealing Sec 21.03 (Composition; Compensation; Officers; Meetings), 21.08 (Employees), & 21.09 (Awards of Contracts) of Article 21 (JEA), Charter of the City of Jax; Amending Article 21 (JEA), Charter of the City of Jax; Creating New Sec 21.03 (Composition; Compensation; Officers; Meetings), 21.08 (Employees; Managing Director; Employment Contract Restrictions), 21.09 (Procurement Generally; Contracts Generally), 21.11 (Privatization, Sale, Reorganization, Svc Territory Transfers Prohibited) & 21.12 (Public Engagement); Renumbering Existing Sec 21.11 (Legislative Authority of Council) & 21.12 (Severability) to 21.13 & 21.14 Respectively; Providing for Proviso Language re 2020-100-E; Providing for Codification Instructions; Providing for Effective Date. (Hodges) (Introduced by CM Boylan) (Co-Sponsored by CMs Bowman, DeFoor, Dennis, Ferraro, Priestly Jackson, Salem, Wilson, Pittman, Morgan, Hazouri, Newby, Diamond, Freeman & R.Gaffney)
7/28/20 CO Introduced: TEU, R
8/3/20 TEU Read 2nd & Rerefer
8/4/20 R Read 2nd & Rerefer
8/11/20 CO PH Read 2nd & Rereferred: TEU, R
9/8/20 CO PH Only
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 8/11/20
Public Hearing Pursuant to Sec 21.11, City Charter & CR 3.601 – 9/8/20

**DEFER (Pursuant to Section 21.11 City Charter. DISCUSSION TOPIC #4:
Employment Matters)**

COMMENTARY: Lawsikia Hodges, Office of General Counsel, presented this week's update to Article 21 – JEA of the City Charter. The focus was on Section 21.08 – Employees. There was language in the Civil Service section of the Charter (Article 17) that relates to promoting, disciplining, and terminating employees. This language was simply put into Section 21.08 of the JEA portion of the Charter to handle these issues. The next issue involves the compensation for the managing director, Section 21.08(b). Language was added that made it very clear that the managing director was serving at the pleasure of the governing body. Language was also added that allows the managing director to engage in or have unrelated business interest as long as such business interests do not interfere with the managing director's duties, as provided in the charter. Qualifications for the managing director have been included stating that the managing director shall be a graduate of an accredited college or university and will have at least five years executive experience within the utilities industry. Section 21.08(c) generally addresses other employees that the board can hire. The only thing that changed about this section was that there was a prior reference to a specific number of department heads and deputy directors that the board could hire. That has been stricken giving the board the flexibility of not limiting them by a number that they can hire. Section 21.08(d) basically states that JEA can only have an employment contract with the managing director/CEO. No other member of the senior leadership team can have an employment

contract with JEA. The managing director's employment contract will be approved by the governing body. Nothing in this subsection or in any employment agreement entered into pursuant to this subsection may be construed as a guarantee of employment. The managing director's contract requirements and restrictions are also addressed within this section. The contract shall exceed no more than five years. This is very standard. If you look at other CEOs with independent authorities, the contracts typically do not exceed five years. Severance pay is addressed and limits the pay to no more than twenty weeks. JEA will not be required to release, indemnify, and hold harmless the managing director against any claims except as otherwise permitted by law. Therefore, the services that the Office of General Counsel would normally provide to employees in defending them that would still be there for anything pursuant to the charter, but beyond that level, that will be prohibited. The next portion relates to legal fees. JEA will not be required to pay for or provide legal counsel to the managing director beyond the legal counsel required by the Charter. The next portion relates to "at will" employment. Anytime the board wants to terminate the managing director, there will be contract provisions that gives the board the flexibility to be able to do that at any time without cause. The section allows the board to have a notice provision, which is reasonable before they exercise the termination without cause. The next portion relates to "for cause" provisions. There is a limitation here in the charter, that will limit the definition for termination for cause with a reasonable definition that is being tied to the civil service and personnel rules for the city of Jacksonville. The next portion relates to compensation. The JEA board will only negotiate compensation terms that will be reasonable and customary, and similar to other public utilities comparable to JEA. The last portion acts as a "catch-all" and states that any managing director employee employment contract entered into by JEA that does not satisfy the minimum requirements, as spelled out will be null and void. Chair Salem noted that prior to this, the JEA had thirteen employee contracts with JEA and legislation was filed to limit these contracts to only the CEO. Council Member Cumber proposed the issue of having a separate pension plan for the incoming JEA CEO (or any other CEO of the independent authorities). It was suggested that separate legislation should be filed that curtails the ability to create separate pension plans for independent authority CEOs. Council Member Ferraro asked if dealing with the separate pension plan issue is something that can be addressed now or separately. Council Member Cumber said that the issue can be worked on at the same time as this legislation, but does not need to be decided today since nothing is being voted on yet. Chair Salem said that the point of this and the previous JEA presentations is to identify any holes in the system that can be addressed when the massive bill comes to the council. The next portion was Section 21.08(e) that relates to pension and defined contribution plans. All personnel appointed by JEA, pursuant to this section, will participate in one of the City's retirement plans. It is governed by the rules and requirements of such retirement plans in the same manner as other JEA employees who participate in such plans. Language was added that requires JEA to periodically provide the Council Auditors with the report regarding the

deferred compensation program. Chair Salem took the lead on the section regarding the employee bonus program, Section 21.08(f). Any bonus plan has to be approved by the JEA Board and that responsibility cannot be delegated to the managing director/CEO. The next JEA discussion will be on procurement.

2. [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 Improvment 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)

3. [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

DEFER (At request of CM Dennis)

4. [2020-0558](#) ORD re an Honorary Street Designation & Associated Roadway Markers; Establishing an Honorary Street Designation on Myrtle Ave N btwn 7th St W & 8th St W in Jax for Quenthon Anthony “Nick” Malpress; Providing for the Installation of 2 Honorary Roadway Markers to be Located in Appropriate Locations on the Designated Roadway; Honoring the Legacy Recognizing the Achievemnts of Quenthon Anthony “Nick” Malpress; Waiving Requiremnts of Sec 745.105(l)(2), Ord Code that the Honoree be Deceased for 5Yrs; Directing Legislative Svcs to Upon Enactment Forward the Ord to the Planning & Dev Dept.(Dist 8-Pittman)(Sidman) (Introduced by CM Priestly Jackson)(Co-Sponsored by CM Pittman)
9/8/20 CO Introduced: NCSPHS, TEU, R
9/14/20 NCSPHS Read 2nd & Rerefer
9/14/20 TEU Read 2nd & Rerefer
9/15/20 R Read 2nd & Rerefer
9/22/20 CO Read 2nd & Rereferred: NCSPHS, TEU, R
10/13/20 CO PH Only
TEU PH - 10/19/20, 11/2/20, 11/16/20
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 10/13/20

DEFER (At request of the Administration)

5. [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

DEFER (At request of CM Dennis)

6. [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

SUB(NCSPHS)/APPROVE

COMMENTARY: Susan Grandin, Office of General Counsel provided an explanation of the bill and the substitute. The bill is designed to remove the derelict vessels that are within Jacksonville's waterways. A derelict vessel is a boat that is no longer able to conduct self-propulsion. There are approximately five of these types of vessels within the waterways. The Florida Fish and Wildlife Conservation Commission (FWC) will actually reimburse the city now for 100% of the cost of the removal of derelict vessels. However, the FWC will not help with the removal of what they categorize as "floating structures". These structures differ from derelict vessels in the floating structures have been purposely altered to be a floating structure. Derelict vessels are boats that are still intended to be used as boats, but have been left adrift, washed up from a storm, or have sat so long that they have deteriorated past the ability to be operational. The major change in the substitute now constitutes the floating structures as a "public nuisance" which allows for local nuisance abatement laws can take effect on this and work towards getting rid of floating structures. The state controls most of what goes on in the waterways and the substitute was designed to adhere to state statutes and avoid any confusion in the newly created Section 388 of the Ordinance code. Additionally, there will be a change in the department that handles the derelict vessel/floating structure issues. Originally, this fell under the purview of the Parks and Recreation Department. It will now be under the purview of the Neighborhoods Department as they have the ability to enforce code compliance through their Environmental Quality Division and Municipal Code Compliance Division. The last change in the substitute that relates to Section 110.414 which is currently titled "The Derelict Vessel Removal Fund". It

will be changed to be titled “The Derelict Vessel and Floating Structure Removal Fund” to be able to house any abatement funds raised from floating structure fines. Council Member Ferraro explained some of the hazards involved with these derelict vessels/floating structures. They steadily deteriorate and when a storm comes through, the debris damages other people’s boats, properties, and docks. Council Member Ferraro spoke on the length of the process and noted that the Waterways Commission and subcommittees have met with many different groups regarding the issue, including the US Coast Guard, FWC and others. Council Member Wilson asked if someone could speak as to why Waterways Commissioner Lane Burnett voted against the bill in the Waterways Commission. Ms. Grandin said that it was a mistake and that Mr. Burnett contacted legislative services to let them know that he meant to vote “yes” on the bill. Council Members Cumber, Gaffney, Salem, Wilson, and Morgan asked to be co-sponsors of the bill.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

As substituted,

- **Cross reference the new Ch. 388 in Sec. 34.403**
- **Declaring Floating Structures to be public nuisances and abandoned property**
- **Authorizing the Beaches communities to administer, enforce and cooperate with the City in the new Ch. 388**
- **Referencing state statutory section in certain definitions**
- **Providing a more detailed outline of the enforcement authority and process, following the existing format in Ch. 518, Ord. Code, and adopting the FWC due process documents and timelines**
- **Amending Sec. 110.414, Ord. Code (Derelict Vessel Removal Fund) to include Floating Structure removal and reiterate that it is the Neighborhoods Dept. that will be administering and enforcing the regulations on Floating Structures and derelict vessels**
- **Correcting scrivener’s errors.**

7. [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's Morgan, Bowman, Ferraro, Carlucci, Salem & DeFoor)
- 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
10/13/20 CO PH Read 2nd & Rereferred: NCSPHS, TEU, F, R, JWC
10/14/20 JWC Approve 12-0
11/2/20 NCSPHS Amend/Approve 6-0
11/2/20 TEU Amend(NCSPHS)/Approve 7-0
11/4/20 F Amend(NCSPHS)/Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

AMEND(NCSPHS)/APPROVE

COMMENTARY: Phillip Peterson, Council Auditor's Office, provided an explanation of the amendment noting that clarifies that the dollars in this legislation will be used to purchase supplies and services. The legislation was drafted to say purchasing equipment, but they are purchasing supplies and services. There's an amendment to the agreement with JU to extend the term of their agreement that was entered into back in 2015. It expires September 30 of 2019. This amendment will extend that term to September 30 of 2021. It also strikes the carryover language as the funds are required to be spent by the end of this year and correcting scriveners errors.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

AMENDMENT

- 1. Clarify dollars will be used to purchase supplies and services**
- 2. Attach Amendment to Agreement with JU to extend term of agreement to 9/30/21**
- 3. Strike carryover language**
- 4. Pg. 3, line 20: correct section reference**

- Appropriates \$6,700 to purchase equipment to complete the study of mercury in the Duval County environment.**
- Extends agreement with JU through 9/30/21 for completion of the study.**
- Waives Sec. 111.755 (Environmental Protection Fund) & 360.602 (Uses of Fund) to utilize funds to purchase equipment.**

8. [2020-0615](#) ORD MC-Amending Chapt. 745 (Addressing & Street Naming Regulations) Part 1. General Provisions, Ord Code; Amending Sec. 745.105 (J)(Honorary Street Name Designations), Ord. Code to Create a New Subsection (9) "Honorary Street Name Designations for Fallen Law Enforcement & Fire & Rescue Officers" (Pollock) (Introduced by CM Ferraro) (Co-Sponsored by CM's Becton, Wilson, Salem, White, Freeman, Bowman, Pittman, Diamond, Cumber, R. Gaffney & Morgan)
10/13/20 CO Introduced: NCSPHS, TEU
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/27/20 CO Read 2nd & Rereferred; NCSPHS, TEU
11/2/20 NCSPHS Approve 6-0
11/2/20 TEU Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

APPROVE

COMMENTARY: Council Members Cumber and Gaffney asked to be added as co-sponsors of the bill. Council Member Ferraro explained that after a firefighter has died, out of respect, there is typically a walk through the streets leading up to the pertinent fire station. Council Member Ferraro noted that during a similar event for veterans, the family members of the fallen had a gold star on their lapel so that they can be easily identified. This bill will do something similar for the families of firefighters, police officers, and first responders that have died. Additionally, there will be signs placed in the area where the civil servants died in the line of duty. Geoff Youngblood, former City Council candidate, is going to fully fund all of the gold lapels that are going to go on the clothes of the family members of those that died in the line of duty. Council Member Morgan asked about the number of signs that will be put up in the coming months. Council Member Ferraro said that there were approximately sixty-two officers that had died in the line of duty when the idea first came about, but due to the areas that the officers perished, it is hard to know exactly how many can be placed on streets, buildings, and other City property. Council Member Morgan asked who will be funding the signs since Mr. Youngblood is only funding the gold star lapel pins. Council Member Ferraro said the funding for the signs would have to come through the City.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

Scrivener's

1. Pg. 1, line 4: correct spacing
2. Pg. 2, line 12: insert name of chapter
3. Pg. 2, line 13 ½: insert ellipses
4. Pg. 2, line 22: insert comma after “renamed”
5. Pg. 3, line 10: insert comma after “pole”

9. [2020-0616](#) ORD Approp \$2,000,000 from the Tree Protection & Related Expenses Trust Fund, Fund 15304, to “630-City Tree Planting Program” to Provide Tree Planting Administered by Public Works in the Public Rights-of-Way in Locations Where Adjacent Propty Owners Have Made Requests thru 630-City; Apv, & Requesting the Mayor, or Designee, to Direct the Dept of Public Works to Continue to Administer the Program in Accordance w/Criteria herein Provided; Provided a Carryover of Funds Into the Subsequent FY’s. (Grandin) (Introduced by CM Salem) (Co-Sponsored by CM's Carlucci, DeFoor, Morgan & Wilson)
10/13/20 CO Introduced: NCSPHS, TEU, F, R
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/20/20 R Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R
11/2/20 NCSPHS Approve 6-0
11/2/20 TEU Approve 7-0
11/4/20 F Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

APPROVE

COMMENTARY: Susan Grandin, Office of General Counsel, provided an explanation of the bill noting that this is the 630-CITY portion of the tree program that allows property owners to call and request that trees be put on the public right-of-way in front of their house. It has to be on public property out front of the homeowner’s property and up to the City Arborist as to the number of trees that can be planted on the property. There was a \$2 million dollar appropriation for this program in the previous year, but there is only \$54,000 remaining in the fund.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

Scrivener's

- Pg. 3, line 20: strike “;” and insert “.”

10. [2020-0618](#) ORD Declaring 2133 Broadway Ave, Jax, FL 32209, R.E. # 077143-0000, to be Surplus to the Needs of the City; Auth Conveyance of Subject Parcel to Gateway Community Services, Inc., a FL Not for Profit Corp, at no Cost; Auth Mayor & Corp. Secretary to Execute a Special Warranty Deed & Other Conveyance Documents; Waiving Sec 122.425 (Disposition by Auction or Sealed Bid), Part 4 (Real Property), Chapt. 122 (Public Property), Ord Code, to Allow Donation to Gateway Community Service, Inc.; Providing a Right of Reentry for Failure to use Subject Parcel for Operation of a Behavioral Health Care Facility; Providing Oversight by the Dept of Public Works, Real Estate Div. (Dist. 9-Dennis) (Johnston) (Introduced by CM Dennis) (Co-Sponsored by CM Salem)
- 10/13/20 CO Introduced: NCSPHS, TEU, F, R
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/20/20 R Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

DEFER (At request of CM Dennis)

11. [2020-0619](#) ORD Declaring 0 Line St, Jax, FL 32209, R.E. #077366-0000, to be Surplus to the Needs of the City; Auth Conveyance of Subject Parcel to Gateway Community Services, Inc., a FL Not for Profit Corp, at No Cost; Auth Mayor & Corp Secretary to Execute a Special Warranty Deed & Other Conveyance Documents; Waiving Sec 122.425 (Disposition by Auction or Sealed Bid), Part 4 (Real Property), Chapt 122, Ord Code, to Allow Donation to Gateway Community Services, Inc.; Providing a Right of Reentry for Failure to Use the Subject Parcel for Ancillary use Related to Operation of a Behavioral Health Facility; Providing for Oversight by the Dept of Public Works, Real Estate Div. (Dist 9-Dennis) (Johnston) (Introduced by CM Dennis) (Co-Sponsored by CM Salem)
- 10/13/20 CO Introduced: NCSPHS, TEU, F, R
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/20/20 R Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

DEFER (At request of CM Dennis)

12. [2020-0622](#) ORD Approp \$20,100 in Grant Funding from U.S. Dept. of Transportation Federal Railroad Administration (“FRA”), w/No Local Match, for the Railroad Trespassing Enforcement Program Within the City of Jax Sheriff’s Office; Approving & Auth the Mayor, or His Designee, & the Corp Secretary, to Execute & Deliver on Behalf of the City That Certain Grant Agreemnt Btwn FRA & the City; Providing for City Oversight by the Jax Sheriff’s Office, Patrol Div. (B.T. 20-117) (Staffopoulos) (Req of Sheriff) (Co-Sponsored by CM Ferraro)
10/13/20 CO Introduced: NCSPHS, TEU, F
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F
11/2/20 NCSPHS Approve 6-0
11/2/20 TEU Approve 7-0
11/4/20 F Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

APPROVE

COMMENTARY: Bill Clement, Jacksonville Sheriff’s Office, provided an explanation of the bill noting that this is a new grant obtained by JSO from the Department of Transportation and that it is going to pay for overtime for officers to for deployments related to railroad trespassing in the amount of \$20,100. Council Member Morgan asked about how the program will work, what the impacts will be, and what parts of town will be focused on. Ellis Burns, Jacksonville Sheriff’s Office, noted that JSO has identified a 15 mile stretch of track through zones one, three and five, which is in the core city, South Side San Marco, and in northwest Jacksonville toward Baldwin. The goal is to take the money from the grant to fund approximately 30 4-hour shifts with a supervisor and two officers to rove railroad properties and public crossings anywhere there may be trespassing and people walking across the tracks. This will be the starting area with the goal of expanding the program across the entire City.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

Scrivener's

Pg. 1, line 17: strike “DIVISON” and insert “DIVISION”

13. [2020-0624](#) ORD-MC Amending Sec 380.403 (Program Established; Rulemaking Authority), Chapt 380 (Solid Waste Management), Ord Code, to Modify the Applicable Distances to 5 Miles, 10 Miles & 15 Miles from the Proximity to the Trail Ridge Landfill Facility (Sidman) (Introduced by CM White)
10/13/20 CO Introduced: NCSPHS, TEU
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

DEFER (At request of CM White)

14. [2020-0627](#) ORD Providing for & Auth the Issuance by the City of Jax, FL of Its Educational Facilities Rev Bonds (Jax Alliance for Kipp Schools, Inc. Project), Series 2020, In One or More Series, In an Aggregate Principal Amt not Exceeding \$23,000,000 for the Purpose of Obtaining Funds to Loan to Jax Alliance for Kipp Schools, Inc., a FL Not for Profit Corp, to Finance, Including Through Reimbursement, or Refinance a Part of the Cost of Acquiring, Constructing & Equipping Various Educational Facilities for Such Corp & Its Affiliates, Kipp Jacksonville, Inc. & McDuff Qalib2, Inc., In the City of Jax, FL; Providing That Such Bonds Shall Not Constitute a General Debt or Liability of the City or a Debt Liability or Obligation of Duval County, FL, or of the State of FL or Any Political Subdivision Thereof, but Shall be Payable Solely from the Revenues Herein Provided; Providing for the Rights of the Holders of the Bonds; Making Certain Covenants & Agreemnts in Connection w/the Issuance of Such Series 2020 Bonds; Apv & Auth the Execution & Delivery of a Financing Agreement w/Respect to the Bonds; Apv & Auth the Execution & Delivery of Certain Other Documents Required in Connection w/the Foregoing; Auth the Chief Economic Officer of the City of Jax, FL to Award the Placemnt of the Bonds of BBVA USA or an Affiliate Thereof, & Apv the Conditions of Such Placemnt; & Providing Certain Other Details in Connection Therewith (Foley & Lardner LLP & Assistant General Counsel) (Req of Mayor)
- 10/13/20 CO Introduced: NCSPHS, TEU, F, R
10/19/20 NCSPHS Read 2nd & Rerefer
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/20/20 R Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred; NCSPHS, TEU, F, R
11/2/20 NCSPHS Amend/Approve 6-0
11/2/20 TEU Amend(NCSPHS)/Approve 7-0
11/4/20 F Amend(NCSPHS)/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

AMEND (NCSPHS)/APPROVE

COMMENTARY: Phillip Peterson, Council Auditor’s Office, provided an explanation of the amendment noting that it updates the newspapers name for which the report of proof of publication was placed, and then also attaches that proof of publication as well as the report of the hearing officer for that notice publication and for your record, no one should have to make comments at that meeting. Council Member Morgan asked about how often the City does these types of educational facility REV bonds. Kirk Wendland, Office of Economic Development, said that the City does approximately one a year. Council Member Morgan asked if the City has any liability when conducting these types of bonds. Mr. Wendland said that City has no liability.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

AMENDMENT

1. Update newspaper name

2. Place revised composite documents on file to include proof of publication for notice of hearing and report of hearing officer

- **City is acting as a conduit issuer for Jacksonville Alliance for KIPP Schools, Inc.**
- **Bonds are the full obligation and responsibility of Jacksonville Alliance for KIPP Schools, Inc.**
- **Bonds will be used for the acquisition, construction, installation and equipping of an elementary charter school to be located at 813 Golfair Blvd., refinancing a loan which financed capital improvements to a K-8 facility located at 1440 McDuff Ave. N., refinancing a loan which financed the acquisition, construction, installation and equipping of an elementary charter school located at 2525 W. 1st St, and to fund capitalized interest and cost of issuance of the Series 2020 Bonds.**

15. [2020-0628](#) ORD-MC Creating a New Chapt 754 (Stormwater Management Utility Code), Part 3 (Water Quality Compensatory Credits), Ord Code, to Permit the City to Sell Water Quality Compensatory Credits Throughout the City; Providing for the Deposit of the Proceeds Derived from the Sale of Water Quality Compensatory Credits Into a Designated Project Acct Within the Stormwater Service Capital Projects Fund; Providing for Codification Instructions. (Hodges) (Req of Mayor)
10/13/20 CO Introduced: TEU, F
10/19/20 TEU Read 2nd & Rerefer
10/20/20 F Read 2nd & Rerefer
10/27/20 CO PH Read 2nd & Rereferred: TEU, F
11/2/20 TEU Approve 7-0
11/4/20 F Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 –10/27/20

APPROVE

COMMENTARY: John Pappas, Public Works Department, provided an explanation of the bill regarding stormwater compensatory water quality improvements credits. The concept of compensatory credit is where the City made improvements somewhere else that has stormwater improvement. Stormwater management is broken into two components. One is the capacity of your system, the quantity and water leaving your site. The other is the water quality improvements that are required for new developments. When the City addresses issues such as flooding, the City receives water quality credits or benefits. Since the City did not need the credits, it is possible to sell those credits to new developments. The bill provides a mechanism for selling those credits to new developers. Council Member Ferraro asked about the ability for a private developer to gain water quality credits by dealing with water runoff from an area larger than originally planned for. Mr. Pappas said that this bill is for City projects, but it does work the same for private developments. Council Member Ferraro asked about new community being built and if the inclusion of retention ponds is based on capacity, quantity, or quality. Mr. Pappas said they focus on all of them. Council Member Morgan asked if it is better if a developer builds a bigger retention pond than what is required. Mr. Pappas reminded that this bill focuses on flood mitigation efforts by the City and not from private development. Council Member Morgan wanted to be sure that these credits are not going to go in areas that are already having problems. Mr. Pappas said that is exactly correct. If there are challenges with floods, flooding or challenges with stormwater, they would not be a candidate for this type of bank credit. Council Member Cumber asked if there are examples around the country where the City could do something similar but for retention in areas that might not have actual water issues or are very unlikely to flood but are required to have ponds anyway. Mr. Pappas said that this type of funding and credits are typically focused on areas that are prone to flooding and that they have not looked outside of the City. Council Member Ferraro asked if Dunns Creek would be considered a City project. Mr. Pappas

said yes. Council Member Ferraro asked if the private developers at Dunns Creek have received any water quality credits. Mr. Pappas said that he is unaware of private developers receiving credits for that area/project. Chair Salem asked if private development was conducted in any part of town that credits would only apply to the water quality and not capacity. Mr. Pappas said agreed and said that it is based on quality and the terms of the permit. Chair Salem asked why a developer would want to buy water quality credits from the City and what would the developers be able to do without buying the credits. Mr. Pappas said that without the water quality credits they would have to provide water quality treatment on their site. If they buy water quality credits they would no longer have to provide the water quality treatment on their site, they would buy the excess water quality benefits that the City provided somewhere else. Chair Salem said that the water quality in that particular area would be of a lower quality because the developer bought credits from a different area. Mr. Pappas said that is correct, but because the City has over-treated in other areas, it will even out in the river.

Council Member Ferraro spoke about the possibility of lining trees by the railroad track on Main Street by the Budweiser Plant. He asked for support with this issue to help alleviate some of the blight in that area.

Aye: 7 - Salem, Cumber, Gaffney, Wilson, Ferraro, Morgan and Becton

Scrivener's

1. Pg. 1, line 19: insert "the" before "City"
2. Pg. 2, line 16: remove parenthesis around Part 3 title
3. Pg. 3, line 1: insert "shall mean" before "the"
4. Pg. 5, line 7: strike "a" and insert "an" before "agreement"

- Creates a Water Quality Compensatory Credit program for the sale/use of City excess credits
- Funds received from the sale of credits will be deposited into a designated account within the Stormwater Services Capital Projects Fund for future Council appropriation
- City currently has 657.52 acres of surplus credits
- The value of a credit is \$34,948.25

16. [2020-0678](#) RESO Upon an Acknowledgment of Due Authorization & the Making of Findings, Approving the Issuance by the Jacksonville Housing Finance Authority of Its Homeowner Mortgage Revenue Bonds, In One or More Series, In an Aggregate Face Amount Not to Exceed \$100,000,000 for the Purpose of Purchasing Mortgage Loans Originated By Participating Local Lending Institutions to Finance the Purchase or Rehabilitation of New or Existing Owner-Occupied Single-Family Residences Situated Within Duval Co, FL, by Persons or Families of Low, Moderate or Middle Income, or Purchasing Securities from a Master Servicer Evidencing Interests In or Backed By a Pool of Such Mortgage Loans; Including, Without Limitation, Securities Guaranteed By the Federal Govt or Agencies Thereof (The "Project") or for the Purpose of Refunding Portions of Previously Issued Homeowners Mortgage Revenue Bonds to thereby Make Funds Available for the Financing of the Project; Auth the Submission of a Request for a Private Activity Bond Volume Cap Allocation; Determining Credit Not Being Pledged. (Migut) (Req of JHFA)
10/27/20 CO Introduced: NCSPHS, TEU, F, R
11/2/20 NCSPHS Read 2nd Rerefer
11/2/20 TEU Read 2nd & Rerefer
11/4/20 F Read 2nd Rerefer

READ 2ND & REREFER

NOTE: The next regular meeting will be held Monday, November 16, 2020.

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

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 Ron Salem, Vice Chair LeAnna Cumber, Council Member Reggie Gaffney, Council Member Scott Wilson, Council Member Al Ferraro, Council Member Joyce Morgan and Council Member Danny Becton

Minutes: Anthony J. Baltiero, Council Research Assistant
abaltiero@coj.net (904) 255-5157
Posted November 4, 2020 2:30 p.m.