

City of Jacksonville

117 W Duval St
Jacksonville, FL 32202



Meeting Minutes Hybrid Virtual/In Person Meeting

Monday, April 19, 2021

2:00 PM

Council Chambers 1st Floor, City Hall & Virtual

Transportation, Energy & Utilities Committee

Ron Salem, Pharm. D., Chair

LeAnna Cumber, Vice Chair

Kevin Carrico

Reggie Gaffney, Excused Late Arrival

Al Ferraro

Joyce Morgan

Danny Becton

Legislative Assistant: Jessica Smith

Legislative Assistant: Sandra Nester

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 TIME: 2:00 P.M. – 4:30 P.M.

Physical Location: Council Chambers
City Hall
117 W. Duval Street
Jacksonville, Florida 32202

(If attending virtually, please join the meeting by 1:45 P.M.)

Meeting ID: 961 7516 5742

Meeting Password: 54832

Council Members, City staff and the public may attend the meeting at the physical location-Council Chambers.

A quorum of the Committee Members (4) will need to be present in-person, but other members may attend utilizing Communications Media Technology (CMT). The meeting will discuss topics related to the background and charge of the Committee and any other items noted on the meeting's agenda or at the discretion of the Chair. The public will be encouraged to share general comments with individual Council Members by email or telephone. CCMeeting04272021@coj.net is the designated email for comments to be including as a part of this meeting.

The meeting noticed herein for Monday, April 19, 2021, 2:00 PM, can be accessed virtually through the Zoom.US- computer application or in-person at Council Chambers. Council Members, City staff, and the public may attend the meeting at the physical location- Council Chambers, but CDC guidelines will be adhered to due to COVID-19. Concurrent with the expiration of Mayor Curry's Emergency Executive Proclamation 2020-005, any member of the public entering City-owned public buildings may choose to wear a mask inside the building. Council will encourage social distancing by maintaining the recommended 6-foot separation between individuals and will limit seating in Council Chambers, Council conference rooms, and offices to maintain social distancing. Council strongly encourages the use of masks for all employees and visitors, especially when social distancing at 6 feet (or more) is not possible. Council will make masks available for visitors and the public.

Meeting Convened: 2:01 P.M.

Meeting Adjourned: 3:02 P.M.

Attendance: CM Dennis (2021-145)

Item/File No. Title History

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

DEFER (At request of CM Dennis)

2. [2021-0079](#) ORD Approp \$1,037,130.00 from FEMA through the State of FL Div of Emergency Mgmt. Under the Hazard Mitigation Assistance Grant Prog. to Fund the Acquisition & Installation of 7 Permanent Generators at 7 Storm Water Pump Station Sites within Duval Cty, Amending the 2021-2025 5 Yr CIP Apvd by Ord 2020-505-E to Purchase & Install Permanent Emergency Generators at the Following Locations: Hillman Dr., Myrtle Ave., Hilly Rd., Bradley Rd., Jessie St., McGrits Creek Park/Lew Brantley & Sandalwood Canal; Providing for City Oversight by the Dept. of Public Works, Public Bldgs Div (B.T. 21-038) (Staffopoulos) (Req of Mayor)
2/9/2021 CO Introduced: NCSPHS, TEU, F
2/16/21 NCSPHS Read 2nd & Rerefer
2/16/21 TEU Read 2nd & Rerefer
2/17/21 F Read 2nd & Rerefer
2/23/21 CO PH Read 2nd & Rereferred: NCSPHS, TEU, F
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 2/23/21

DEFER (At request of Administration)

3. [2021-0100](#) ORD Auth the Borrowing from the City’s Commercial Paper Facility and/or Issuance of Fixed-Rate Debt in the Max Amount of up to \$100,000,000 to Provide Funding for the Wastewater System Improvement Program; Approp \$100,000,000 to the Water/Wastewater System Fund; Amending 2020-504-E, the FY 20-21 Budget Ord, to Replace the Schedule B4 in Order to Allow for the “Water/Wastewater System Fund;” Amending the 2021-2025 5-Yr CIP Approved by Ord 2020-505-E to Provide Funding for the Project Entitled “Water/Wastewater System Fund;” Providing for Quarterly Reports to Council. (Sidman) (Introduced by CP Hazouri) (Co-Sponsored by CMs Carlucci, Pittman, DeFoor & Dennis)
2/23/21 CO Introduced: NCSPHS, TEU, F
3/1/21 NCSPHS Read 2nd & Rerefer
3/1/21 TEU Read 2nd & Rerefer
3/2/21 F Read 2nd & Rerefer
3/9/21 CO PH Read 2nd & Rereferred: NCSPHS, TEU, F
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 3/9/21

DEFER (At request of CP Hazouri)

4. [2021-0145](#) ORD-MC re Chapt 656 (Zoning Code), Ord Code; Amending Sec 656.401 (Performance Standards & Development Criteria), Subpart A (Performance Standards & Development Criteria), Part 4 (Supplementary Regulations), Chapt 656 (Zoning Code), Ord Code, to Remove the Limitation of Hours Operation Off-Street Parking Lots in the CCG-1, CCG-2, IBP, IL & PBF-3 Zoning Districts. (Grandin) (Introduced by CM Dennis) (PD Amd/Apv) (PC Apv) (Co-Sponsor CM R.Gaffney)
 3/9/21 CO Introduced: TEU, LUZ
 3/15/21 TEU Read 2nd & Rerefer
 3/16/21 LUZ Read 2nd & Rerefer
 3/23/21 CO Read 2nd & Rereferred: TEU, LUZ
 4/13/21 CO PH Only
 4/19/21 TEU Amend/Approve 6-0
 4/20/21 LUZ PH Amend(TEU)/Approve 6-0
 LUZ PH - 4/20/21
 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 4/13/21

Susan Grandin, Office of General Counsel, explained the bill which removes the limitations on public parking from 11pm to 6am in the commercial zoning districts. The Planning Commission disagreed with the Planning Department's recommended amendment. CM Dennis gave the historical background which led to the need for this change in code to allow for parking in the area. Chair Salem moved forward an amendment to exclude zoning districts CCG-1 and IBP from changing their current parking limitations. Laurie Santana, Planning Department, said she is not sure of the reason for the zoning code, but she would look into it. CM Becton worried about the unintended consequences of the bill. Paige Johnston, Office of General Counsel, clarified that this legislation is for off-street parking lots. Steven Diebenow, representing the Lote Group, said that from discussions regarding the community's feelings on the parking amendment the only worry was having people sleeping in their cars at night. Bill Killingsworth, Director of Planning and Development, explained the reasons for the suggested amendment by the Planning Department. Mr. Killingsworth suggested that by amending part 3 to make the parking permissible by exception when it is not adjacent to a residential zoning district and permissible by exemption through part 4 when it is adjacent to a residential zoning district for CCG-1 and IBP. This was voted on and passed as an amendment to the amendment and then the amendment as amended was voted on and passed. CM Cumber suggested an amendment which would add there shall be no sleeping, parking or storage for more than 24 hours which would prevent tent living in the lots. The Cumber amendment was approved and then was voted to be rolled together with the previous amendment as the TEU amendment. CM Dennis asked if anyone would like to co-sponsor the bill when it moves to LUZ. CM Gaffney said he would co-sponsor the bill.

AMEND/APPROVE

Aye: 6 - Salem, Cumber, Gaffney, Ferraro, Becton and Carrico

- This bill proposes to remove the current limitation on operating hours for off-street parking lots located in zoning districts CCG-1, CCG-2, IBP, IL, IH, and PBF-3.
- Planning Department staff recommended an amendment to keep the current limitation on operating hours for off-street parking lots in zoning districts CCG-1 and IBP.
- The Planning Commission recommended approval of this bill without amendment.

AMENDMENT:

1. Remove CCG-I & IBP from zoning districts but CCG-I & IBP allowed by exception if not adjacent to residential

2. Insert after storage (line 13, page 2) "sleeping or parking for more than 24 hours."

5. [2021-0177](#) ORD Closing & Abandoning &/or Disclaiming Unopened & Unimproved R/W in the Unrecorded Dinsmore Farms Subdivision, All Lying in Sec 1, Township 1, Range 25 E, at the Request of KB Home Jacksonville LLC; Providing for Approval Subject to Conditions; Providing for City Oversight by Real Estate Div of Dept of Public Works. (Dist 8-Pittman)
(Staffopoulos) (Req of Mayor)
3/23/21 CO Introduced: TEU
4/5/21 TEU Read 2nd & Rerefer
4/13/21 CO PH Read 2nd & Rereferred: TEU
4/19/21 TEU PH Approve 6-0
TEU PH - Pursuant to Sec 336.10, F.S. – 4/19/21
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 4/13/21

Renee Hunter, Chief of Real Estate at Public Works, explained the bill which would allow for a closure of the right of way.

PH APPROVE

Aye: 6 - Salem, Cumber, Gaffney, Ferraro, Becton and Carrico

6. [2021-0178](#) ORD Approp \$761,250.00 in Federal Pass-Through Grants Funds from the FDOT to Reimburse the City for Its Participation in the Construction of Sidewalk Improvements on Cedar Point Rd. from E. of Grover Rd. to W. of Boney Rd.; Purpose of Approp; Amending the 2021-25 5-Yr CIP Apvd by Ord 2020-505-E for Construction of Sidewalk Improvements on Cedar Point Rd.; Providing for Oversight by the Engineering & Construction Managemnt Div of the Dept of Public Works. (B.T. 21-055) (Staffopoulos) (Req of Mayor)
3/23/21 CO Introduced: NCSPHS, TEU, F
4/5/21 NCSPHS Read 2nd & Rerefer
4/5/21 TEU Read 2nd & Rerefer
4/6/21 F Read 2nd & Rerefer
4/13/21 CO PH Read 2nd & Rereferred: NCSPHS, TEU, F
4/19/21 NCSPHS Approve 7-0
4/19/21 TEU Approve 6-0
4/20/21 F Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 4/13/21

Robin Smith, Public Works, explained the bill. CM Ferraro stated his support for the bill.

APPROVE

Aye: 6 - Salem, Cumber, Gaffney, Ferraro, Becton and Carrico

- **This project will extend the existing sidewalk, from east of Yellow Bluff Rd. to Grover Rd., an additional 1.5 miles.**
- **The City will be responsible for maintaining the sidewalk after construction.**

7. [2021-0179](#) ORD Making Certain Findings & Auth the Borrowing from the City’s Commercial Paper Facility &/or Issuance of Fixed-Rate Debt in the Cumulative, Not-to-Exceed Amount of \$32,905,000, or Such Lesser Amount as Determined Pursuant to the Agreement (Defined Below) as of the Time of Closing, & Approp Thereof to Provide Funding for the Purchase of the Metropolitan Parking Solutions Parking Garages Pursuant to the Default Provisions of the Development Agreement Dated 3/5/04; Purpose of Approp; Providing a Carryover of Funds from Yr to Yr Unit Such Funds are Expended or Lapse According to the Agreement; Amending the 2021-25 5-Yr CIP Apvd by Ord 2020-505-E to Provide Funding for the Project Entitled “MPS Garage Purchase;” Amending 2020-504-E, the FY 2021 Budget Ord, to Replace Rev Schedule B4, the FY 2020-21 CIP Projects Funded Via Borrowing, to Auth the Borrowing &/or the Issuance of Debt for the Purchase of the Parking Garages; Auth the Mayor, or His Designee, & Corp Secretary to Execute & Deliver All Docs & Agreements Necessary to Transfer Developer’s Interest in the Proj to the City Pursuant to the Redevelopment Agreement; Auth Apv of Technical Amendmnts by the Mayor or His Designee; Waiving Sec 122.411(A) (Fee Purchases), Subpart A (Acquisition of Interests in Real Property), Part 4 (Real Property), Chapt 122 (Public Property), Ord Code, to Auth Purchase of the Parking Garages Pursuant to the Development Agreement Without the Need of an Appraisal; Waiving Sec 55.115 (Procedures for Acquisition & Disposition of Downtown Property), Chapt 55 (DIA), Ord Code, to Allow for Purchase of Property to be Apvd by Action of This Legislation; Providing for Oversight by the DIA. (B.T. 21-059) (Sawyer) (Req of Mayor)
3/23/21 CO Introduced: TEU, F, R
4/5/21 TEU Read 2nd & Rerefer
4/6/21 F Read 2nd & Rerefer
4/6/21 R Read 2nd & Rerefer
4/13/21 CO PH Read 2nd & Rereferred: TEU,F, R
4/19/21 TEU Amend/Approve 6-0
4/20/21 F Amend(TEU)/Approve 6-0
4/20/21 R Amend (TEU)/Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 4/13/21

Phillip Peterson, Auditor's Office, explained the amendment. CM Becton asked who owns the garages that the city will be purchasing. Mr. Peterson said the city will be purchasing them from MPS and the cost is defined in the default clause which returns the original investment of \$3 million and the estimated outstanding bonds for the construction of the garages.

AMEND/APPROVE

Aye: 6 - Salem, Cumber, Gaffney, Ferraro, Becton and Carrico

AMENDMENT

- 1. Correct scrivener's errors**
- 2. Attach revised Exhibit 1 to correct accounts on BT**
- 3. Attach revised Exhibit 3 to include MPS Garage Purchase in detail of Second Revised Schedule B4**

- **This bill authorizes the issuance of debt for the purchase of the three parking garages commonly referred to as the Sports Complex, Arena, and Courthouse garages from Metropolitan Parking Solutions (MPS).**
- **The purchase price consists of a return of equity of \$3 million to MPS and paying off bonds totaling \$29,905,000.**
- **Per the Treasury Division, based on current market conditions, the City could issue debt and realize a NPV savings of \$4.9 million over the life (approximately 10 years) of the outstanding bonds.**
- **Under the current agreement:**
 - **Any cash shortfall in operating expenses, bond payments or MPS' guaranteed return from parking garage revenue is funded by the City in the form of a development loan.**
 - **The City contributes (via the Northbank Downtown CRA) approximately \$4 million annually to MPS in the form of development loans.**
 - **Based on the current contract the City is required to continue to make the annual contribution for approximately 10 more years until the bonds issued by MPS are paid off.**
- **The current cumulative amount of development loans plus interest is more than \$70 million and continues to grow annually. The City does not anticipate receiving payment of the development loans as reflected in the City's audited financials.**
- **The current non-default cash purchase price would be an estimated \$50 - \$55 million plus the forgiveness of the loans.**

- **Waives Sec. 122.411(a) (Fee Purchases) which requires at least two appraisals be obtained for each purchase in an amount in excess of \$500,000**
- **Waives Sec. 55.115 (Procedures for Acquisition and disposition of Downtown Property) which requires that all property acquired and disposed of by the DIA shall be in accordance with the proposed acquisitions and dispositions in the community redevelopment plan element of the BID Plan and the procedures in Chapter 122, Part 4 (Real Property), Subpart C, Ordinance Code.**

8. [2021-0183](#) ORD-MC re Dockless Mobility Programs; Amending Chapt 235 (Dockless Mobility Programs, Ord Code, Sec 235.104 (Dockless Mobility Unit Pilot Program Permitting) to Auth up to 6 Operators & Sec 235.105 (Dockless Mobility Program Requirements) to Auth up to 12 Dockless Mobility Units to be Stored in Corrals, to Clarify the Role of the City's Public Parking Div in Administering & Enforcing the Dockless Mobility Program, & to Provide That Unclaimed Dockless Mobility Units Shall Become City Property if Unclaimed for 180 Days. (Teal) (Introduced by CM Cumber)
3/23/21 CO Introduced: NCSPHS, TEU
4/5/21 NCSPHS Read 2nd & Rerefer
4/5/21 TEU Read 2nd & Rerefer
4/13/21 CO PH Read 2nd & Rereferred: NCSPHS, TEU
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 4/13/21

DEFER (At request of CM Cumber)

NOTE: The next regular meeting will be held Monday, May 3, 2021.

*******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 Al Ferraro, Council Member Joyce Morgan, Council Member Danny Becton and Council Member Kevin Carrico

Minutes: Richard Distel, Council Research
RDistel@coj.net 904.255.5140
Posted 4.27.2021 5:00 pm