

City of Jacksonville

117 W Duval St
Jacksonville, FL 32202



Meeting Minutes

Monday, December 6, 2021

2:00 PM

Council Chambers 1st Floor, City Hall

Transportation, Energy & Utilities Committee

Joyce Morgan, Chair
Al Ferraro, Vice Chair
Danny Becton
Matt Carlucci
LeAnna Cumber
Randy DeFoor
Terrance Freeman

Legislative Assistant: Melodi Murray
Legislative Services Manager: Bernadette Smith
Deputy General Counsel: Peggy Sidman
Research Assistant: Richard Distel
Asst. Council Auditor: Phillip Peterson
Council Auditor's Office: Edward Linsky
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: 2:02 PM

Meeting Adjourned: 3:46 PM

Attendance: CM White visiting; CP Newby visiting

Council President Newby thanked the members of the committee for their hard work as well as the work done by staff.

Item/File No.

Title History

1. [2021-0788](#) ORD Amend Fiscal Yr 2018-2019 JTA Budget; Amend ORD 2018-504-E (The COJ Budget) by Amending the JTA Budget Revised Schedules O & P; an ORD Amending FY 2019-2020 JTA Budget; Amending ORD 2019-504-E (The COJ Budget) by Amending the JTA Budget Revised Schedules O & P. (Sidman) (Introduced by CP Newby at the Req of JTA)
10/26/21 CO Introduced: TEU, F
11/1/21 TEU Read 2nd & Rerefer
11/2/21 F Read 2nd & Rerefer
11/9/21 CO PH Read 2nd & Rereferred:TEU, F
12/6/21 TEU Approve 5-2 (CMs Cumber & Ferraro)
12/7/21 F Approve 5-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/9/21

Al Ferraro was called to speak

LeAnna Cumber was called to speak

LeAnna Cumber was called to speak

Greg Hayes, JTA, went over the budget of JTA. CM Cumber said she would be a no on this bill until she can get ridership numbers for the skyway. CM Ferraro asked about the gas tax. Mr. Hayes said that without gas tax funds the proposed projects will not be funded.

APPROVE 5-2 (CMs FERRARO, CUMBER)

Aye: 5 - Morgan, Becton, Carlucci, DeFoor and Freeman

Nay: 2 - Ferraro and Cumber

2. [2021-0814](#) ORD Closing & Abandoning &/or Disclaiming Drainage Easement Recorded in Bk 1145, Pg 498 of the Public Records of Duval Co, FL, at the Request of Robert's Diesel Service, Inc. (Dist 10 – Priestly Jackson) (Staffopoulos) (Introduced by CP Newby at Req of Mayor)
11/9/21 CO Introduced: NCSPHS,TEU
11/15/21 NCSPHS Read 2nd Rerefer
11/15/21 TEU Read 2nd Rerefer
11/23/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU
12/6/21 NCSPHS Amend/Approve 6-0
12/6/21 TEU Amend/Approve 7-0
TEU PH Pursuant to Sec 336.10, F.S.:12/6/21
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/23/21

Phillip Peterson, Auditor's Office, explained the amendment. Renee Hunter, Public Works, explained the legislation.

AMEND/APPROVE 7-0

Aye: 7 - Morgan, Ferraro, Becton, Carlucci, Cumber, DeFoor and Freeman

AMENDMENT

Reflect that the applicant paid the additional closure or abandonment with encroachment fee of \$516

- **The closure is being requested for the storage and maintenance of school buses**

3. [2021-0815](#) ORD Closing & Abandoning &/or Disclaiming a 24 Foot Drainage & Utilities r/w Established in the Wispering Pines Plat, as Recorded in Plat Bk 26, Pg 15 of the Public Records of Duval Co, FL, at the Request of Robert's Diesel Service, Inc. (Dist 10 – Priestly Jackson) (Staffopoulos) (Introduced by the CP Newby at Req of Mayor)
11/9/21 CO Introduced: NCSPHS,TEU
11/15/21 NCSPHS Read 2nd Rerefer
11/15/21 TEU Read 2nd Rerefer
11/23/21 CO PH Read 2nd & Rereferred:NCSPHS,TEU
12/6/21 NCSPHS Amend/Approve 6-0
12/6/21 TEU Amend/Approve 7-0
TEU PH Pursuant to Sec 336.10, F.S.:12/6/21
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/23/21

Phillip Peterson explained the amendment.

AMEND/APPROVE 7-0

Aye: 7 - Morgan, Ferraro, Becton, Carlucci, Cumber, DeFoor and Freeman

AMENDMENT

Reflect that the applicant paid the additional closure or abandonment with encroachment fee of \$516

• **The closure is being requested for the storage and maintenance of school buses**

4. [2021-0816](#) ORD Apv, & Auth the Mayor, or his Designee, & the Corp Sec to Execute & Deliver, For & On Behalf of the City, That Certain Purchase & Sale Agreement btwn the COJ & Cynthia M. Young, & all Closing & Other Docs. at 5565 Old Middleburg Road S (R.E.# 015223-0000), for Acquisition, at the Negotiated Purchase Price of \$330,000.00, to be Utilized as a Pond Site for the Old Middleburg Rd Proj; Oversight by the Real Estate Division of the Public Works Dept, & Oversight of the Property by the Engineering & Construction Management Division of Public Works Department thereafter. (District 12–White) (Staffopoulos) (Introduced by the CP Newby at Req of Mayor)
11/9/21 CO Introduced: TEU, F
11/15/21 TEU Read 2nd & Rerefer
11/16/21 F Read 2nd & Rerefer
11/23/21 CO PH Read 2nd & Rereferred:TEU,F
12/6/21 TEU Approve 7-0
12/7/21 F Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/23/21

Al Ferraro was called to speak

Joyce Morgan was called to speak

Randy DeFoor was called to speak

Renee Hunter explained the legislation. John Pappas, Public Works, answered question on the project's cost.

APPROVE 7-0

Aye: 7 - Morgan, Ferraro, Becton, Carlucci, Cumber, DeFoor and Freeman

5. [2021-0820](#) ORD Apv & Auth the Mayor, or His Designee, & the Corp Sec to Execute & Deliver That Certain Air Pollution Control Specific Operating Agreement btwn the State of FL Dept of Environmental Protection (DEP) & Duval Co (The "Agreement") Provide for Oversight by the Neighborhoods Dept, Environmental Quality Div. (Staffopoulos) (Introduced by CP Newby at Req of Mayor)
11/9/21 CO Introduced: NCSPHS, TEU
11/15/21 NCSPHS Read 2nd Rerefer
11/15/21 TEU Read 2nd Rerefer
11/23/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU
12/6/21 NCSPHS Approve 6-0
12/6/21 TEU Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/23/21

Al Ferraro was called to speak

Randy DeFoor was called to speak

Matt Carlucci was called to speak

Melissa Long, Chief of Environmental Quality, explained the legislation which is a contract renewal for air quality agreement. CM Carlucci talked about odor issues which happen all over the city. Ms. Long talked about mitigation done towards the issues of odor.

APPROVE 7-0

Aye: 7 - Morgan, Ferraro, Becton, Carlucci, Cumber, DeFoor and Freeman

6. [2021-0824](#) ORD MC-Making Certain Findings & Auth “Commercial Property Assessed Clean Energy” (C-PACE) Assessments to Encourage the Energy Efficiency of the Comm Businesses in the City; Creating a new Chapt 344, Title VIII, ORD Code; Providing for Defin; Providing a Short Title; Providing a Purpose; Providing Auth for Local Govs; Providing for C-PACE Prog Admin; Providing for C-PACE Prog Req; Providing for C-PACE Prog Boundaries; Providing for Eligible Participants; Providing Req for Prog Comp & Assessment Implementation; Prov Codification Instructions & Auth; & Prov an effective date. (Bowles) (Req of Mayor)
11/9/21 CO Introduced: NCSPHS, TEU, R
11/15/21 NCSPHS Read 2nd Rerefer
11/15/21 TEU Read 2nd Rerefer
11/16/21 R Read 2nd Rerefer
11/23/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU, R
12/6/21 NCSPHS Substitute/Approve 6-0
12/6/21 TEU Substitute/Approve 5-2 (CMs DeFoor & Carlucci)
12/7/21 R Substitute/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/23/21

Peggy Sidman was called to speak

Randy DeFoor was called to speak

Danny Becton was called to speak

LeAnna Cumber was called to speak

Matt Carlucci was called to speak

Terrance Freeman was called to speak

Al Ferraro was called to speak

LeAnna Cumber was called to speak

Randy DeFoor was called to speak

Matt Carlucci was called to speak

Terrance Freeman was called to speak

Al Ferraro was called to speak

LeAnna Cumber was called to speak

Danny Becton was called to speak

Randy DeFoor was called to speak

Phillip Peterson explained the substitute. Stephanie Burch, Deputy Chief Administrative Officer, gave an overview of the legislation. CM DeFoor voiced opposition to the legislation because it would give the city no ability to foreclose on the loan and would make the property unmarketable to resale. CM Becton asked for more details on the program and why was the city doing this now. Ms. Burch explained that the administration has researched this program for three years and believes this program will allow for more development and flexibility. CM Cumber asked for clarity if this is any different than a special assessment. Peggy Sidman, Office of General Counsel, said it is structurally the same. CM Cumber referenced a Forbes business article which talked about the commercial benefits of this program. CM Carlucci said he had reservations regarding the legislation based on CM DeFoor's concerns. Trisha Bowles, Office of General Counsel, said that this is the same as a tax assessment in regards to having to choose to be a part of and it is actually more transparent. CM DeFoor brought up the issue of removable solar panels which would make the upgrades not a part of the physical structure.

SUBSTITUTE/APPROVE 5-2 (DEFOOR, CARLUCCI)

Aye: 5 - Morgan, Ferraro, Becton, Cumber and Freeman

Nay: 2 - Carlucci and DeFoor

As substituted:

1. Clarifies program is available to eligible participants within Duval County and that the Beaches and Baldwin will be required to opt out of C-PACE Program
2. Strikes requirement that C-PACE Administrator or the City establish pricing rules and enforcement mechanisms regarding contractor charges to property owners
3. Strikes requirements that C-PACE Administrator establish a code of conduct that sets standards for contractors and confirm contractor qualifications at least annually
4. Clarifies language regarding execution and contents of financing agreement
5. Clarifies reporting requirements of C-PACE Administrators
6. Includes Council Auditor's Office within City audit rights language
7. Clarifies consent requirements for properties owned by entities
8. Authorizes the City's Finance Director to create an account for the special assessments and make disbursements to the C-PACE Administrator for assessments collected and to reimburse the City for administrative costs
9. Corrects scrivener's errors throughout bill

7. [2021-0839](#) ORD Apv the Final Costs of Underground Utility Installation Improvemts for the S. End River Rd – NW End River Oaks Rd Neighborhood Assessment Program, Auth & Funded by Ord 2020-486-E; Incorporating the Recitals; Specifying the Unit of Measurement; Adopting the Non-Ad Valorem Assessment Roll at Public Hearing, Pursuant to the Uniform Method of Collecting Non-Ad Valorem Special Assessments as Auth by Sec 197.3632, FL Statutes; Notice of Public Hearing Served to Affected Properties; Providing for Certification of the Assessment Roll & Directing the Council Sec to Cooperate with the Tax Collector & the Property Appraiser & JEA in the Certification of the Non-Ad Valorem Assessment Roll; Directing the Council Sec, JEA & the Tax Collector to Record the Final Assessments in the Improvemnt Lien Book; Providing for Payment of Final Assessments & Liens; Implementing the Assessments & Directing the Tax Collector to Provide Notice of Assessment (Bowles) (Introduced by CM Cumber)
11/23/21 CO Introduced: NCSPHS, TEU, F
12/6/21 NCSPHS Read 2nd & Rerefer
12/6/21 TEU Read 2nd & Rerefer
12/7/21 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21
Public Hearing Pursuant to F.S. Sec. 197.3632(3)(a)-1/11/22

READ 2ND & REREFER

8. [2021-0840](#) ORD-MC Amend Sec 804.1012 (Unauthorized Parking in Disabled Parking Space Prohibited), Pt 10 (Parking), Chapt 804 (Jax Traffic Code), Ord Code, to Prohibit Obstructing a Disabled Parking Space, Curb Cut or Access Aisle; Providing for Codification Instructions (Staffopoulos) (Introduced by CM Newby at Req of Mayor)
11/23/21 CO Introduced: NCSPHS, TEU
12/6/21 NCSPHS Read 2nd & Rerefer
12/6/21 TEU Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

READ 2ND & REREFER

9. [2021-0841](#) ORD-MC Amend Sec 656.1218 (Intersection Visibility), Subpart C (Landscaping Requirements), Pt 12 (Landscape & Tree Protection Regulations), Chapt 656 (Zoning Code), Ord Code, to Clarify the Measurement of Sight Triangles; Amend Sec 804.617 (Obstructing Visibility), Pt 6 (Misc Driving Rules), Chapt 804 (Jax Traffic Code), Ord Code, to Clarify the Difference in Measurement btwn an Obstruction within a Sight Visibility Triangle Created by a Sign, Poster or Vegetation & the Measurement for Sight Visibility Relative to a Structure (Grandin) (Introduced by CM Morgan)
11/23/21 CO Introduced: TEU,LUZ
12/6/21 TEU Read 2nd & Rerefer
12/7/21 LUZ Read 2nd & Rerefer
LUZ PH-1/19/22
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-1/11/22

READ 2ND & REREFER

10. [2021-0845](#) ORD Approp \$15,000.00 in Grant Funding from the FL Fish & Wildlife Conservation Commission (The "FWC") for Reimbursement of the City of Jax's Costs to Remove 1 Derelict Vessel Located in a Public Waterway in the City of Jax, Purpose of Approp; Providing for Oversight by the Neighborhoods Dept, Environmental Quality Div (B.T. 22-022) (Staffopoulos) (Introduced by CM Newby at Req of Mayor)
11/23/21 CO Introduced: NCSPHS, TEU, F, JWC
12/6/21 NCSPHS Read 2nd & Rerefer
12/6/21 TEU Read 2nd & Rerefer
12/7/21 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

READ 2ND & REREFER

11. [2021-0852](#) ORD re Chapt 745 (Addressing & Street Naming Regs) Ord Code; to Clarify & Re-Name "Tampa Ave r/w" Currently Located Several Blocks N.E. of the "Tampa Ave" St Sign as "Droad St"; Waiving the Requirements of Sec 745.105 (c), Ord Code, Which Requires the Planning & Dev Dept to Send Written Notification to Affected Property Owners; Directing the Legislative Svcs Div to Forward this Ord to the Planning & Dev Dept & the Public Works Dept (Pollock) (Introduced by the TEU Comm)
11/23/21 CO Introduced: TEU, R
12/6/21 TEU Read 2nd & Rerefer
12/7/21 R Read 2nd & Rerefer
TEU PH Pursuant to Chapt 745 Ord Code-1/3/22
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

READ 2ND & REREFER

12. [2021-0853](#) ORD Declaring that Certain Parcel of Real Prop, a Tax Reverted Parcel, Located at 714 Jessie St (The "Subject Parcel"), to be Surplus to the Needs of the City; Waiving Sec 122.423 (Disposition for Affordable Housing), Pt 4 (Real Prop) of Chapt 122 (Public Prop), Ord Code, to Allow for the Conveyance of the Subject Parcel to in the Word International, Inc., the Neighboring Propy Owners, at no Cost; Auth the Mayor & the Corp Sec to Execute any & all Documents Necessary for Such Conveyance; Providing a Right of Reentry for Failure to use the Subject Parcel for the Operation for Community Service Out Reach Programs; Providing for City Oversight by the Dept of Public Works, Real Estate Div (R.E. #122274-000)(Dist 7-R.Gaffney) (Sidman)(Introduced by CM R. Gaffney)
11/23/21 CO Introduced: NCSPHS, TEU, R
12/6/21 NCSPHS Read 2nd & Rerefer
12/6/21 TEU Read 2nd & Rerefer
12/7/21 R Read 2nd & Refefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

READ 2ND & REREFER

13. [2021-0855](#) ORD Declaring 9216 1st Ave, Jax, FL 32208 (R.E. #-036499-0000), btwn Soutel Dr. & Belvedere St., to be surplus to needs of the City; Auth Convey of subject parcel to Christ the Living Cornerstone, Inc., a FL not for profit corp, at no cost; Auth Mayor & Corp Secretary to execute a quitclaim deed & other convey docs; Waiving Sec. 122.425 (dispo by auction or sealed bid), Pt 4 (Real Prop), Chpt 122 (Public Prop), Ord Code, to allow donation to Christ the Living Cornerstone, Inc.; Providing a right of reentry for failure to use subject parcel for the operation of a wellness clinic and/or Comm Outreach Ctr; Prov for City Oversight by the Dept of Public Works, Real Estate Div (Dist 8-Pittman)(Johnston) (Introduced by CMs Ferraro & Pittman)
11/23/21 CO Introduced: TEU, F, R
12/6/21 TEU Read 2nd & Rerefer
12/7/21 F Read 2nd & Rerefer
12/7/21 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

READ 2ND & REREFER

14. [2021-0865](#) ORD Re Property at 1230 Hendricks Ave in Compliance with the PUD Requirement of Ordinance 2017-136-E; making certain findings; Auth the Mayor, or his Designee, & Corp Secretary to Execute & Deliver a Maintenance Agreement & a Public Access Easement by & btwn the City of Jax & Chadbourne II LLC; Auth Technical Changes; Providing for Oversight by the Public Works Dept; Req 1 Cycle Emergency Passage. (Dist 5-Cumber) (Dillard) (Introduced by CM Cumber)
11/23/21 CO Introduced: TEU
12/6/21 TEU Emergency/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 12/14/21

Al Ferraro was called to speak

LeAnna Cumber was called to speak

Phillip Peterson explained the emergency. CM Cumber talked about the process and the legislation and John Pappas, Public Works, explained the maintenance agreement.

EMERGENCY/APPROVE 7-0

Aye: 7 - Morgan, Ferraro, Becton, Carlucci, Cumber, DeFoor and Freeman

- **Authorizes a maintenance agreement with the property owner to allow for improvements in the right-of-way to be maintained by the property owner**

Public Comment

Carnell Olivier talked about the need for ethics reform.

NOTE: The next regular meeting will be held Monday, January 3, 2022.

*******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 Joyce Morgan, Vice Chair Al Ferraro, Council Member Danny Becton, Council Member Matt Carlucci, Council Member LeAnna Cumber, Council Member Randy DeFoor and Council Member Terrance Freeman

Minutes: Richard Distel, Council Research
RDistel@coj.net 904.255.5140
Posted 12.10.2021 5:00 pm