

# LEGISLATIVE FACT SHEET

DATE: 10/29/20

BT or RC No: BT21-028  
 (Administration & City Council Bills)

SPONSOR: Neighborhoods/Environmental Quality, Environmental Protection Board  
 (Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: James Richardson

Provide Name: James Richardson, JEPB Administrator

Contact Number: 255-7213

Email Address: jrichard@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words - Maximum of 1 page.)

Support for the development of a water quality module on a hydrodynamic modeling program being built by UNF. The project scope outlines tasks required to add water quality components to the UNF model to make it a useful tool for the JEPB. The tool will allow the JEPB and EQD to work with Public Works to help prioritize future CIP projects for water quality improvements.

APPROPRIATION: Total Amount Appropriated \$74,993.00 as follows:  
 List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____

Name of State Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____

Name of City of Jacksonville Fundir	From: Environmental Protection Fund - Fund Balance	Amount: \$74,993.00
	To: Environmental Protection Fund - Fund Balance	Amount: \$74,993.00

Name of In-Kind Contribution(s)	From: _____	Amount: _____
	To: _____	Amount: _____

Name & Number of Bond Account(s)	From: _____	Amount: _____
	To: _____	Amount: _____

**PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:**

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The funding will come from the Environmental Protection Trust Fund for the development of the water quality component of the modeling program. University of North Florida will complete this project with no General Fund contribution.

**ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.**

**ACTION ITEMS:**

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Justification of Emergency: If yes, explanation must include detailed nature of emergency. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Fiscal Year Carryover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Note: If yes, note must include explanation of all-year subfund carryover language. Through FY2022 <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted? The Neighborhoods Department will provide oversight. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Related RC/BT?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attachment: If yes, attach appropriate RC/BT form(s).
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Code Exception?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper. Legislation will be specifically for the University of North Florida to provide services. For this reason, an exception to Section 126.107(g), Ordinance Code (supplies or services to be provided by those specifically prescribed within authorizing legislation that appropriates the same), is required. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>

**ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.**

**ACTION ITEMS:**

	Yes	No
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

	Yes	No
Reporting Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating  
A final report is required at the end of the project term (February 2022).

Division Chief: Melissa M. Long  
(signature)

Date: 11/10/2020

Prepared By: [Signature]  
(signature)

Date: 11/9/2020

**ADMINISTRATIVE TRANSMITTAL**

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: Leann Krieg, Director of Intergovernmental Affairs, Office of the Mayor  
(Name, Job Title, Department)

Phone: 255-5015 E-mail: leannk@coj.net

From: Leann Krieg, Director of Intergovernmental Affairs, Office of the Mayor  
Initiating Department Representative (Name, Job Title, Department)

Phone: 255-5015 E-mail: leannk@coj.net

Primary Contact: Leann Krieg, Director of Intergovernmental Affairs, Office of the Mayor  
(Name, Job Title, Department)

Phone: 255-5015 E-mail: leannk@coj.net

CC: Leann Krieg, Director of Intergovernmental Affairs, Office of the Mayor

Phone: 255-5015 E-mail: leannk@coj.net

**COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL**

To: Peggy Sidman, Office of General Counsel, St. James Suite 480  
Phone: 904-630-4647 E-mail: psidman@coj.net

From: \_\_\_\_\_  
Initiating Council Member / Independent Agency / Constitutional Officer  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Primary Contact: \_\_\_\_\_  
(Name, Job Title, Department)  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

CC: Leann Krieg, Director of Intergovernmental Affairs, Office of the Mayor  
Phone: 255-5015 E-mail: leannk@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:      **Yes**      **No**  
Boards Action / Resolution?       

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

This project was approved by the Environmental Protection Board members in December 2019.

**FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED**

**ORACLE** Transactional Business Intelligence

**Budget Office Dashboard**

- Budgetary Balances
- Budgetary Transaction Details
- Personal Budgetary Details
- Quarterly Balances
- Quarterly Transaction Details
- Payroll
- Rev vs Exp Balances
- Project Balances

Fiscal Year 2020 Fund 15301 Center --Select Value-- Project --Select Value-- Activity --Select Value--

**Budgetary Balances**

Budget Year	Fund Description	Department	Division	Center	Center Description	Project	Activity	Account	Account Description	Initial Budget	Budget Adjustments	Total Budget	Obligations	Expenditures	Available Amount	Available Percentage
2020	15301 Environmental Protection	NBEQ	NBEQ	173101	NBEQ Environmental Regulation Programs - Conservation and Resource Management	000000	00000448	354070	Environmental Fines	0.00	0.00	0.00	0.00	171,460.83	-171,460.83	0%

*Handwritten note:*  
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 10/11/20  
 OK  
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**Environmental Protection Board Members**

Amy Y. Fu, PE - Chairman  
David Wood – Vice Chairman  
Bobby L. Baker, PE, Edmund Clark, MD, Roi Dagan, MD  
Thomas Deck, Caleena Shirley, Adam Hoyles

**Education & Public Outreach**

Amy Fu – Chair  
Thomas Deck  
David Wood

**Air Odor Noise Committee**

David Wood – Chair  
Caleena Shirley  
Adam Hoyles  
Thomas Deck  
Edmund Clark, MD

**Water Committee**

Thomas Deck – Chair  
Adam Hoyles  
Roi Dagan, MD  
Edmund Clark, MD  
Caleena Shirley

**Jacksonville Environmental Protection Board  
Monday, December 16, 2019  
BOARD MEETING SUMMARY**

**MEMBERS PRESENT:**

Amy Fu, P.E., Chair  
Adam Hoyles  
Bobby Baker, P.E.  
Caleena Shirley

Edmund Clark, M.D.  
Thomas Deck

**MEMBERS NOT PRESENT:**

David Wood, Vice-Chair  
Roi Dagan, M.D.

**STAFF/RESOURCES PRESENT:**

James Richardson, JEPB Administrator  
Kealey West, OGC  
Tree Kilbourn, EQD Enforcement  
Terry Carr, EQD Water Branch

**VISITOR(S) PRESENT:**

Carolyn Antman  
Dr. Chris Brown, UNF  
Dr. Cigdem Akan, UNF

## CALL TO ORDER

AMY FU

## INTRODUCTIONS

Chair Fu called to order the meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:01 pm. A quorum was established.

## CHAIRMAN'S REMARKS

The Chair acknowledged new member, Adam Hoyles, and allowed him to share background on himself. She indicated that he would be replacing Dr. Sonnenberg who will be attending the January meeting to be recognized and thanked for her service. She then acknowledged that this would be the final meeting for Bobby Baker. She asked that James Richardson read a resolution prepared to recognize him (attached). A motion to approve the resolution was made (Deck), properly seconded (Shirley) and approved by the body.

Chair Fu then shared that past Board Chairs have focused on specific issues and the she would like to have Erosion & Sediment Control as her focus and she has begun discussions with the staff to gather information and potential timetable which might end up with some modifications to JEPB Rule 3.

## COMMENTS FROM THE PUBLIC

None.

## APPROVAL OF MINUTES

A motion to approve the November 18, 2019 meeting summary was made (Shirley), properly seconded (Deck) and approved by the body.

## CONSENT ORDERS

### Air/Noise

- **none**

### Water

- **Live Oak Contracting, LLC (WP-18-76) - Unlawful discharge to stormwaters; Failure to comply with erosion and sediment control standards by overland flow – proposed settlement fee: \$3,850**

A motion to approve the consent order was made (Shirley), properly seconded (Deck) and approved by the body.

## ENFORCEMENT REPORT

TREE KILBOURN

Ms. Kilbourn entertained questions on the monthly enforcement report – there were none. She then shared that JEA held their first ESC training class with about 30 attendees.

## PRESENTATION(s)

- none

## PUBLIC HEARING(s)

- none

## COMMISSION & JEPB COMMITTEE UPDATES

- Waterways Commission – Mr. Baker shared that he was unable to attend the meeting. There was mention of a discussion around derelict vessels.
- KJB Commission – Mr. Richardson shared the primary focus of the commission is preparation for their upcoming annual event to be held in the 1<sup>st</sup> quarter of the year.
- JEPB Water Committee – Terry Carr referred everyone to the reports provided with the meeting packet and shared a highlight:
  - EQD recently took part in an audit of the NPDES permit. FDEP expressed much pleasure with the ESC related inspections and enforcement activities. We are awaiting their final report.
- JEPB Air Committee – Chief Long referred everyone to the reports provided with the meeting packet and shared a few highlights:
  - She shared some recent issues with 200 Riverside Ave project and an early morning concrete pour. Staff is gathering information and will determine if any violation of the variance occurred and what might be any ramifications.
  - Air monitoring equipment is being moved around which resulted in some incomplete data. Once everything has been locked in, the data should correct.
- JEPB Education & Outreach Committee – Mr. Richardson shared that the committee met and vetted the funding request to be heard later in the meeting.

## OPEN VARIANCES

Mr. Richardson referred to the previous discussion of the 200 Riverside Ave variance. He shared that two variances have been closed and there is one which remains open through December 2020. He also shared that he would include the dumpster permits on future reports and that there were no issues with the two currently in place.

## EPB ADMINISTRATOR REPORT

Mr. Richardson referred members to the report provided in the packet.

He then shared that the Florida Legislative session is officially underway as the committees begin to meet and legislation being filed. The 2020 session will commence in January and will likely have some environmental issues addressed. In addition, he shared that FDEP is also likely to be implementing several things which might be of



interest to the JEPB including rulemaking on the statewide Stormwater rule. We will monitor everything and keep the members apprised.

## ENVIRONMENTAL QUALITY DIVISION REPORT

- Chief Long indicated that she had no report at the time.

## OLD BUSINESS

- none

## NEW BUSINESS

- Funding Request – UNF Water Quality Modeling Program

Mr. Richardson introduced Dr. Chris Brown, with UNF, to share background information on the funding request seeking \$75,000 to build a water quality module on a hydrodynamic modeling program being built by UNF. The module would be an additional tool that would be of benefit to the City of Jacksonville. He discussed the changes to the request made after meeting with the JEPB EPO Committee. During discussion, Chief Long shared that the tool would be of some value and she hopes to work with Public Works so that they might use it to help prioritize future CIP projects for water quality improvements. In response to questions, she also shared that it was very likely that EQD could benefit from use of the tool with possibly using it to ensure that water quality monitoring stations are properly located.

After some discussion, a motion was made to approve the funding request as presented (Hoyles), was properly seconded (Shirley) and approved by the body.

- JEPB Committee Assignments

Mr. Richardson shared that following her election as Chair, he met with Ms. Fu to discuss roles of the position – a part of which is to appoint members to committees. He shared that she first decided to continue the Education & Public Outreach Committee. He then shared the committee assignments for each of the three Board committees – Air, Water and EPO.

Mr. Richardson then discussed the commissions that have JEPB members participating – Jacksonville Waterways Commission and the Keep Jacksonville Beautiful Commission. He indicated that members usually volunteer, however if no one steps forward, the Chair will select. Ms. Shirley volunteered to be the KJB representative and Mr. Hoyles volunteered to be the JWC representative.

## ITEMS REFERRED TO COMMITTEES

- None

## NEXT SCHEDULED BOARD MEETING(S)

- EPB Committees

No JEPB committee meetings scheduled for the month of December

- JEPB Steering Committee - Monday, January 13, 2020
- JEPB Monthly Meeting - Tuesday, January 21, 2020

The meeting adjourned at 6:18 pm

Respectfully Submitted



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James Richardson, EPB Administrator

**Environmental Protection Fund  
Request for Funding Assistance  
UNF WATER QUALITY MODELING PROGRAM MODULE**

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## **Purpose**

This legislation would provide for the following:

- Appropriation of \$74,993 from the Environmental Protection Fund (EPF) which is administered by the Environmental Protection Board (EPB).
- Authorization of contract with the University of North Florida (UNF) to build a water quality module on a hydrodynamic modeling program
- Payments as outlined in the Scope of Work
- An exemption from Section 126.107(g) of the Procurement Code to allow a contract with an entity (UNF) specifically prescribed in the legislation.

## **Background**

The Fund, which was created in 1984, was established under the Board's purview to be used by the Board for the purposes described in [Section 360.602 O.C.](#) The established purposes for use of the Fund include:

- Restoration of polluted areas subject to Board actions.
- Restoration where costs exceeded amount recovered from responsible party in judicial or administrative proceedings.
- To recover the costs and expenses of the Board in administering the Fund.
- To pay for removal (emergency) or remedial actions (cleanup).
- To fund education and outreach activities, studies, surveys, tests and investigations pertaining to the duties of the Board.

Sources of Fund revenue include:

- Fines collected by the City
- Moneys received as a result of an administrative or judicial proceeding
- Moneys recovered as punitive damages
- Moneys recovered as civil penalties

## **Description**

The University of North Florida (UNF) is currently in the midst of developing a surface water simulation model for the St. Johns River. The primary model under development is a hydrodynamic model of the Lower St. Johns River watershed with a focus on Duval County that will be able to incorporate rainfall-driven flows, tides, storm surge, sea level rise, and future urbanization for the purposes of evaluating many water resources and water quality problems that will likely occur within the watershed. The hydrodynamic model will be coupled to an ocean model as well as sub-basin hydrologic models so that the model will realistically reproduce expected flow rates, flow direction, salinity, and water quality within the watershed.

During development and review of the agreement between UNF and the City, the impact of COVID delayed the original timeframes. After consultation with UNF, the timeline was adjusted to allow for the return of faculty and student assistants.

## Project Goals

UNF is integrating existing hydrologic and flow models to the extent practical including data from the St. Johns River Water Management District (SJRWMD), City of Jacksonville, UNF/JU, and private firms in order to speed development of the new state-of-the-art model as well as to ensure the lowest development cost possible. Once the model has been calibrated and validated, it is expected that the new model will be an ideal tool for the evaluation of nutrient and toxics reduction within the City of Jacksonville. The tool will help identify opportunities to prioritize future CIP projects for water quality improvements. It may also assist future resiliency efforts as well.

## Funding

- The EPB has authorized funding, pursuant to Section 111.755 and 360.602 O.C., in the amount of \$74,993 to support the project. The EPB unanimously approved the project at its December 2019 meeting.
- The Environmental Protection Trust Fund, which was created in 1984, was established under the Board's purview to be used by the Board for the purposes described in [Section 360.602](#) O.C. The primary established purposes for use of the Fund include:
  - Restoration of polluted areas subject to Board actions.
  - Restoration where costs exceeded amount recovered from responsible party in judicial or administrative proceedings.
  - To recover the costs and expenses of the Board in administering the Fund.
  - To pay for the removal (emergency) or remedial actions (cleanup).
  - To fund education and outreach activities, studies, surveys, tests and investigations pertaining to the duties of the Board.
- The Environmental Protection Fund consists of non-General Revenue monies collected by the City pursuant to O.C. Chapter 362, Chapter 368 or Chapter 376. Sources of Fund revenue include:
  - Fines collected by the City
  - Moneys received as a result of an administrative or judicial proceeding
  - Moneys recovered as punitive damages
  - Moneys recovered as civil penalties