

City of Jacksonville

*1st Floor - Council Chamber
117 W. Duval Street*



Twice Amended Meeting Minutes

Monday, July 15, 2019

9:30 AM

Council Chambers

Neighborhoods, Community Services, Public Health and Safety Committee

*Randy White, Chair
Matt Carlucci, Vice Chair
Rory Diamond
Reggie Gaffney
Brenda Priestly Jackson
Joyce Morgan
Sam Newby*

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.

NOTE: The next regular meeting will be held Monday, August 5, 2019

Meeting Convened: 9:39 am

Meeting Adjourned: 10:44 am

Meeting went into Recess: 9:41 am

Meeting Reconvened: 9:48 am

Item/File No. Title History

1. [2018-0712](#) ORD-MC regarding Prohibition of the Approval, Grant, or Issuance of Certain Licenses, Permits, Certificates or Zoning Actions to Persons with Unpaid Civil Penalties or Current Violations of the Ord Code; Amend Chapt 307 (Historic Preservation and Protection), Pt 1 (Gen Provisions), Sec 307.111 (Enforcement; Civil Remedies); Amend Chapt 320 (Gen Provisions), Pt 4 (Permits), Sec 320.402 (Application for Permit); Amend Chapt 518 (Jax Propty Safety and Management Code), Pt 1 (Gen Provisions), Sec 518.103 (Applicability); Creating a new Sec 609.110 (Prohibition of Administrative Action); Amend Chapt 650 (Comprehensive Planning for future Development), Pt 4 (Amendments to the Comprehensive Plan), Sec 650.402 (Initiation of Proposal); Amend Chapt 654 (Code of Subdivision Regs), Sec 654.105 (Applicability); Amend Chapt 656 (Zoning Code), Pt 1 (Gen Provisions), Subpart B (Administration), Sec 656.109 (Administration and Enforcement; Interpretation of Zoning Code; Administrative Deviations), and Sec 656.111 (Violations and Penalties); Amend Chapt 780 (Property Tax), Pt 3 (Tax Exemption for Rehabilitation and Properties in Historic Districts), Sec 780.305 (Application). (Grandin) (Introduced by CM Crescimbeni)
10/23/2018 CO Introduced: NCSPHS, F, LUZ
11/5/2018 NCSPHS Read 2nd & Rerefer
11/6/2018 F Read 2nd & Rerefer
11/7/2018 LUZ Read 2nd & Rerefer
11/13/2018 CO Read 2nd & Rereferred; NCSPHS, F, LUZ
LUZ PH Pursuant to Sec 656.123, Ord Code - 1/3/19, 1/15/19, 2/5/19, 2/20/19, 3/5/19, 3/20/19, 4/2/19, 4/16/19, 5/7/19, 5/21/19, 6/4/19, 6/18/19, 7/16/19, 8/6/19
Public Hearing Pursuant to Chapt 166.041, (3) (a) F.S. & CR 3.601 - 12/11/18, 1/8/19, 1/22/19, 2/12/19, 2/26/19, 3/12/19, 3/26/19, 4/9/19, 4/23/19, 5/15/19, 5/28/19, 6/11/19, 6/25/19, 7/23/19

DEFER

2. [2019-0330](#) ORD-MC Creating New Pt 1 (Small Quantity Marijuana Possession), Chapt 606 (Drugs), Ord Code, to Create a Civil Citation Prog for possession of less than 20 grams of Marijuana or Marijuana Drug Paraphernalia in alternative to Criminal Prosecution. (Johnston) (Introduced by CM Dennis)
5/15/2019 CO Introduced: NCSPHS,R
5/20/2019 NCSPHS Read 2nd & Rerefer
5/21/2019 R Read 2nd & Rerefer
5/28/2019 CO PH Read 2nd & Rereferred; NCSPHS, R
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 5/28/19

DEFER (At the request of CM Dennis)

3. [2019-0378](#) ORD Approp \$6,246,725.33 from Various Subfunds to Balance Revenue & Expenses as Part of a Clean-Up of Enterprise Resource Planning, Provide Carryover of Funds to Subsequent Fiscal Years (B.T. 19-045) (McCain) (Req of Mayor)
5/28/2019 CO Introduced: NCSPHS, F
6/3/2019 NCSPHS Read 2nd & Rerefer
6/4/2019 F Read 2nd & Rerefer
6/11/2019 CO PH Read 2nd & Rereferred; NCSPHS, F
7/15/2019 NCSPHS Withdraw 6-0
7/16/19 F Withdraw 6-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 6/11/19

WITHDRAW 6-0

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

4. [2019-0434](#) ORD-MC Concerning City Consent to Cypress Bluff Comm. Dev. Dist. (CDD) Exercise of Certain Special Powers Related to Recreational & Security Infrastructure Pursuant to Sec 190.012 (2)(a) & (d), F.S. & Sec 92.15, Ord Code; Amend Sec 92.22 (Existing Community Developmt Dists), Ord Code, to Include Grant of Consent. (Grandin) (TEU Pursuant to Chapt 92, Ord Code)
6/11/2019 CO Introduced: NCSPHS, TEU, LUZ
7/15/2019 NCSPHS Approve 6-0
7/16/2019 LUZ Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 & Sec 190.005, F.S. & Sec 92.11, Ord Code - 7/23/19

APPROVE 6-0

Speaker:
Susan Grandin, Attorney III - OGC

Council Member Morgan asked Susan Grandin, Office of General Counsel, to detail the special powers that would be given to the Cypress Bluff Community Development District, which include recreation and security. Through the Ordinance the CDD was established and once established they can now come to the City Council to request special powers. Ms. Grandin explained the value of a CDD, which can allow that area to bond money to build roads and develop other infrastructure. People who move into those districts pay a fee which goes towards the development. CM Gaffney asked for the number of CDDs in Jacksonville; Ms. Grandin stated that there are currently 18 and 2 more will be added soon.

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

5. [2019-0435](#) ORD Approp \$71,874.00 from KHA Operating Subfund into KHA Budget to fund Afterschool Programming; Auth KHA to contract directly with YMCA of Florida's First Coast, Inc. ("YMCA") to provide Afterschool Programming at Windy Hill, Ramona & Jax Heights Elementary Schools; Invoking the Exception of Sec 126.107(G) (Exemptions), Pt 1 (General Regs), Chapt 126 (Procurement Code), Ord Code, to allow KHA to procure Afterschool Programming from YMCA; Waiving requiremts of Sec 77.111(a) (Provider Contracts), Chapt 77 (KHA), Ord Code, to exempt Children's Svcs Programming to be provided by YMCA from Competitive Procuremt. (Davis) (Req of Mayor)
6/11/2019 CO Introduced: NCSPHS,F,R
6/17/2019 NCSPHS Read 2nd & Rerefer
6/18/2019 F Read 2nd & Rerefer
6/18/2019 R Read 2nd & Rerefer
6/25/2019 CO PH Read 2nd & Rereferred; NCSPHS, F, R
7/15/19 NCSPHS Amend/Approve 6-0
7/16/19 F Amend/Approve 7-0
7/16/19 R Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 6/25/19

AMEND/APPROVE 6-0

Kim Taylor, Auditor's Office, detailed the amendements listed. CM Morgan asked Adam Miller, KHA, how many direct contracts do they currently have? For the summer camps/out of school contracts Mr. Miller said he believed there were just two sources currently, but he would get CM Morgan the exact number at a later time. CM Newby asked what the slection process was and why it was at the YMCA. Mr. Miller stated that it was because the program already existed at the YMCA, so the site would not need to change and would allow for the provider and staff to stay the same.

AMENDMENT:

- 1. Clarify funding source in bill title**
- 2. Add "to account" in explanation of appropriation**
- 3. Correct section references**
- 4. Attach revised Exhibit 1 to attach executed BT**

Speakers:

Adam Miller, Assistant Director of Government & Partnership Initiatives - KHA
Brian Hughes, Chief Administrative Officer - Executive Office of the Mayor

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

6. [2019-0436](#) ORD Approp \$892,553.99 from Retained Earnings in Subfund 561 to Subfund 561 - Self-Insurance Acct in order to 1) Return Excess FY18 General Liability Loss Provision to JEA in Amt of \$174,483.51 & to JHA in Amt of \$203,042.53, 2) Return Excess FY 18 Workers Compensation Loss Provision to JEA in Amt of \$496,667.13 & to JHA in Amt of \$18,360.82. (B.T. 19-095) (McCain) (Req of Mayor)
6/11/2019 CO Introduced: NCSPHS,F
6/17/2019 NCSPHS Read 2nd & Rerefer
6/18/2019 F Read 2nd & Rerefer
6/25/2019 CO PH Read 2nd & Rereferred; NCSPHS, F
7/15/19 NCSPHS Approve 6-0
7/16/19 F Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601- 6/25/19

APPROVE 6-0

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

7. [2019-0437](#) ORD-MC Amend Sec 609.109 (Applicable Chapter and Parts), Chapt 609 (Code Enforcement Citations), Ord Code; To Increase Civil Penalty Class for Violations of Chapt 420 (Fire Prevention Code) from Class B to Class D Offenses. (McCain)(Req of Mayor)
6/11/2019 CO Introduced: NCSPHS
6/17/2019 NCSPHS Read 2nd & Rerefer
6/25/2019 CO PH Read 2nd & Rereferred; NCSPHS
7/15/19 NCSPHS Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601- 6/25/19

APPROVE 6-0

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

8. [2019-0438](#) ORD Approp \$200,000.00 from the Petco Foundation to assist City's Div. of Animal Care & Protective Svcs. in Increasing Community Awareness & the Adoption Rate at the Shelter; Providing for a carryover of funds to FY19-20; Auth & Apv Mayor and Corp Sec to Execute & Deliver the Petco Foundation Grant Investmt Agreemt btwn the City & Petco Foundation; Amend Ord 2018-504-E (the City of Jax Budget Ord) by Amending Attachmt A ("Food and Beverage Expenditures") in order to allow funds to be spent on food and beverage at shelter events; Oversight by ACPS Div of the Neighborhoods Dept. (B.T. 19-096) (McCain) (Req of Mayor)
6/11/2019 CO Introduced: NCSPHS,F
6/17/2019 NCSPHS Read 2nd & Rerefer
6/18/2019 F Read 2nd & Rerefer
6/25/2019 CO PH Read 2nd & Rereferred; NCSPHS, F
7/15/19 NCSPHS Amend/Approve 6-0
7/16/19 F Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601-6/25/19

AMEND/ APPROVE 6-0

AMENDMENT:

1. Pg. 1, line 6 and pg. 2, line 7: insert "the" before "City's"
2. Add "to accounts" to explanation of appropriation
3. Attach revised Exhibit 1 to correct carryover on BT

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

9. [2019-0463](#) ORD-MC Approp \$10,000 from the Florida Boaters' Improvemt Prog (Sec.110.413) for Signage; Amend Chapt 614 (Public Order & Safety), Sec. 614.132 (Regulations on Operation of Boats), Ord Code to establish a Boating Safety Zone around the Shad's Creek Bridge. (Grandin) (Introduced by CM Ferraro)
6/25/2019 CO Introduced: NCSPHS,F,JWW
7/15/2019 NCSPHS Read 2nd & Rerefer
7/16/2019 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

10. [2019-0464](#) ORD-MC Creating New Sec. 321.103.1 (Changing Table Requirements), Chapt 321 (Adoption of Building Code), Ord Code, to add specific requirements & a certain exemption related to changing tables; Requesting 1 Cycle Emergency Passage. (Eller) (Introduced by CM Becton) (Co-Sponsors CM's R.Gaffney, Diamond, Newby, Morgan, Carlucci, White, Ferraro, Pittman & Dennis)
6/25/2019 CO Introduced: NCSPHS,LUZ
7/15/19 NCSPHS Emerg/Amend/Approve 6-0
7/16/19 LUZ Emerg/Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

EMERG/AMEND/APPROVE 6-0

CM Becton explained the importance of this bill, its difference to the bill which covered baby changing tables. CM Becton outlined his amendment which would change the applicability to restaurants with 150 seats instead of 50 seats, it would remove size requirement for shopping center /mall because those terms are already defined in the building code, it would change the applicability to retail stores with 15,000 square feet instead of 5,000 square feet, it corrects code reference on page 2, line 8, clarifies that signage shall be at the main entrance and provides an effective date of code requirement as the effective date of the local amendment to the Florida Building Code per F.S. 553.73, OR January 1, 2020, whichever date is later. The amendment was moved by the Committee and approved. CM Becton said there are two building codes bills that this bill would be connected to based on building standards for the tables. CM Becton detailed the reality for those that are handicapped or with disabilities to find an area that is suitable for changing. The weight limit on baby changing tables is 30 pounds. CM Morgan asked how this bill would be different than the previous bill, and would it just be for new construction? CM Becton stated that it would be for new construction or a 50% or more renovation. Then there was public comment from mothers who supported the bill and emphasized the basic level of humanity this bill would allow for their children.

CM Gaffney, Diamond, Newby, Morgan, Ferraro and Carlucci asked to be co-sponsors.

AMENDMENT

1. Changes applicability to restaurants with 150 seats instead of 50 seats.
2. Removes size requirement for shopping center/mall because those terms are already defined in the building code.
3. Changes applicability to retail stores with 15,000 square feet instead of 5000 square feet.
4. Corrects code reference on page 2, line 8.
5. Clarifies that signage shall be at main entrance.
6. Provides effective date of code requirement as the effective date of the local

amendment to the Florida Building Code per F.S. 553.73, or January 1, 2020, whichever date is later.

Speakers:

CM Becton

CM Ferraro

Jordan Elsbury, Director of Intergovernmental Affairs - Executive Office of the Mayor

Public Comments: Angel Miele, Christel Fernandez, Brittany Cunningham & Candice Samples-Morris

Aye: 6 - White, Carlucci, Diamond, Gaffney, Morgan and Newby

11. [2019-0465](#) ORD Apv Acceptance of portions of Ed Austin Regional Park peacefully yielded up to the City by the PAL of Jax; Inc. Pursuant to Lease Agreement of 5/13/99; Apv & Auth Mayor to Execute & Deliver the License Agreement btwn the City of Jax & PAL of Jax, Inc. for Ed Austin Regional Park. (McCain) (Req of Mayor)
6/25/2019 CO Introduced: NCSPHS,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/16/2019 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

12. [2019-0467](#) ORD-MC re Code Enforcement Citations; Amend Sec 609.104 (Procedures), Chapt 609 (Code Enforcement Citations), Ord Code, to provide that a copy of a notice of violation be provided to a commercial property owner along with the tenant or lessee where the tenant or lessee has committed a civil infraction. (Johnston) (Introduced by CM Crescimbeni)
6/25/2019 CO Introduced: NCSPHS,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/16/2019 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

13. [2019-0468](#) ORD Auth & Apv Mayor & Corp Sec to Execute & Deliver, for & on behalf of the City, the Dev Agreemt for the Reconstrn of Palm Ave btwn the City and Southern Baptist Hospital of FL, Inc. (the "Developer") in order to provide the Developer Auth for the Planning, Design, Engineering, Permitting, CEI, & Constrn of the Palm Ave Improvemts & for City Cost reimbursemt to developer for undertaking said activities; Oversight by the Engineering & Constrn Mgmt Div of the P.W. Dept. (McCain) (Req of Mayor)
6/25/2019 CO Introduced: NCSPHS,TEU,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/15/2019 TEU Read 2nd & Rerefer
7/16/2019 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

14. [2019-0469](#) ORD Approp \$1,600,000.00 from the Tree Protection & Related Trust Fund, Subfund 15F, for the County-Wide Prog called the "630-CITY Tree Planting Prog" also known as the "Level 1 Tree Planting Prog" to provide tree planting in the public r/w's in locations where adjacent propty owners have made requests thru 630-CITY; Apv & Req the Mayor, to Direct the P.W. Dept to continue to administer prog in accordance with criteria herein provided; Provide Carryover of Funds into Subsequent Fiscal Years. (Grandin) (Introduced by CM Crescimbeni)
6/25/2019 CO Introduced: NCSPHS,TEU,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/15/2019 TEU Read 2nd & Rerefer
7/16/2019 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

15. [2019-0470](#) ORD-MC re the Safety & Crime Reduction Commission; Amend Sec 78.103 (Membership; Terms), Chapt 78 (Safety & Crime Reduction Commission), Ord Code, to Allow for the Council President to Appoint Addnl Mbrs Annually to Serve as Non-Voting Liaisons. (Sidman) (Introduced by CP Bowman)
6/25/2019 CO Introduced: NCSPHS
7/15/2019 NCSPHS Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -7/23/19

READ 2ND & REREFER

16. [2019-0474](#) ORD Apv & Auth Mayor & Corp Sec to Exec & Deliver, for & on behalf of the City, the Interlocal Agreemt btwn City of Jax & City of Jax Beach for Advanced Life Support & Fire Svcs; Oversight by JFRD; Auth Positions. (R.C. 20-004) (McCain) (Req of Mayor)
6/25/2019 CO Introduced: NCSPHS,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/16/19 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 7/23/19

READ 2ND & REREFER

17. [2019-0475](#) ORD Apv & Auth Mayor & Corp Sec to Exec & Deliver a Purchase & Sale Agreemt (Agreement) btwn City of Jax & Janice R. Nelson (Seller) & all Closing Docs Relating thereto, & Otherwise take All Necessary Action to Effectuate the Purpose of the Agreemt, for the acquisition by the Buyer at the Appraised Value of \$357,000.00 of Real Propty, on Edgewood Ave W, Comprised of Approx 2.64 Acre Parcel for Fire Station 36; Oversight by the Real Estate Div of the Dept of P.W. (Dist 10-Freeman) (McCain) (Req of Mayor)
6/25/2019 CO Introduced: NCSPHS,F
7/15/2019 NCSPHS Read 2nd & Rerefer
7/16/19 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601- 7/23/19

READ 2ND & REREFER

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

Rollcall:

Present: 6 - Chair Randy White, Vice Chair Matt Carlucci, Council Member Rory Diamond, Council Member Reggie Gaffney, Council Member Joyce Morgan and Council Member Sam Newby

Excused: 1 - Council Member Brenda Priestly Jackson

Visiting:

CP Wilson, CM Becton, CM Ferraro

Minutes: Richard Distel, Council Research
RDistel@coj.net 904-255-5140
7.19.19 Posted 4:30 p.m.