

# City of Jacksonville

117 W Duval St  
Jacksonville, FL 32202



## Meeting Minutes

Monday, August 31, 2020

2:00 PM

Council Chambers 1st Floor, City Hall, and Virtual

## Transportation, Energy & Utilities Committee

*Ron Salem, Pharm. D., Chair*  
*LeAnna Cumber, Vice Chair, Excused*  
*Reggie Gaffney*  
*Scott Wilson*  
*Al Ferraro*  
*Joyce Morgan*  
*Danny Becton*

*Legislative Assistant: Juliette Williams*  
*Legislative Assistant: Jessica Smith*  
*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: 3:25 PM**

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

**Visiting: Council Member Dennis**

**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**



Chair Salem went through the agenda and noted the actions that would be taken for each bill. He explained that they would take up bill 2020-0486 prior to the JEA presentation to accommodate Council Member Cumber.

Hai Vu, Interim General Manager of the Water & Wastewater System of JEA, provided a presentation on the status of septic tanks and septic tank removal projects across the City. Mr. Vu discussed the various funding methods that residents are using for septic tank removals, including limited grants, sales taxes, and payments directly from the property owners. The City has a active septic tank phaseout program (STOP) to address the 65,000+ remaining septic systems in the City. The expected cost to remove all of the septic systems in Jacksonville is approximately two-billion dollars (\$2B). Mr. Vu explained that the list of prioritized areas for the STOP program to operate in is assessed and reprioritized annually based on environmental issues, health and welfare concerns, and community considerations. The current priority list was presented showing the top ten areas with Biltmore C, Beverly Hills, and Christobel making up the top three priority areas. Updates were provided for multiple areas, including the overall project status, the percentage of project completion, expected completion dates, and other pertinent information related to each area. In 2019 JEA made it a priority to look for alternative procedures and designs for creating and removing septic tanks, including technological updates, potential cost reductions, and creating strategies for septic tank removal for each priority area. JEA has come up with a masterplan for the STOP program. Mr. Vu discussed the potential plan and focused on the search for alternative ways of removing or improving the City's septic tank systems. A timeline was provided for the masterplan with Phase 2 of the program starting in the beginning of 2021. Following the presentation, the Chair opened the floor to questions.

Council Member Morgan opined on the cost of funding the STOP program and said that the fifteen-million dollars (\$15M) that is currently allocated for the program is a "drop in the bucket" and that the costs are significantly higher. Council Member Morgan asked if the two major projects discussed in the presentation have no cost to the homeowners. Mr. Vu confirmed that the projects mentioned have no cost to the homeowners. Council Member Morgan asked about further funding for the program as it moves forward. Mr. Vu stressed the difficulties in finding funding for the STOP program. He said that currently, it is uncertain as to where the future funding for the STOP will come from. Mr. Vu outlined some possible funding sources.

Council Member Ferraro asked about the costs related to septic tank removal at a single area and about alternative methods of waste management that could potential offset some of the costs involved. Mr. Vu said that JEA is looking at alternative measures and that running the waste through a pumping system to a different facility is possible in some areas of the City. Council Member Ferraro asked about potential short-term and long-term funding sources. Mr. Vu said that the financial funding part of the program is not his expertise.

Council Member Gaffney asked if there is a plan for septic tank removal in other areas of the City that are beyond the five programs that have been discussed. Mr. Vu said that

JEA has created a prioritized list of areas requiring septic tank removal, but the plan and funding is limited to the five discussed projects. Council Member Gaffney encouraged Mr. Vu to come back and present with the full list of areas requiring septic tank removal.

Chair Salem said that he will have Mr. Vu come back and present in the future, possibly in May 2021 when phase 2 of the master plan is underway. Chair Salem asked about the 65,000+ septic tank systems in the City and wanted to know how many of those systems are fully functioning and do not need to be removed. Mr. Vu said that JEA identified roughly 42,000 septic systems that are outside of the high priority areas and that the majority of those systems will not need to be replaced. Chair Salem asked about the hook up fees. Mr. Vu said that the hook up fees are in the area of \$3,000 to \$5,000. Chair Salem asked if it is more expensive to conduct removal projects in smaller areas compared to larger areas. Mr. Vu agreed that it is more expensive to operate in a smaller area because there are less homes to spread the costs across. The costs for septic tank removals are steep regardless of the size of the area so it is more cost effective to do projects over larger areas. Chair Salem noted that there are only roughly 1,000 homes that are being served in the top three areas of the program highlighting the magnitude of the septic tank removal effort.

Council Member Morgan asked if there are any estimates of the savings that could be possible by using alternative technologies or methods. Mr. Vu said that they will have estimates once they complete the report portion of creating the master plan for the STOP program. Council Member Morgan asked if the primary focus of the removal program is to limit the impacts on the City's waterways. Mr. Vu said that environmental concerns are definitely one of the driving forces behind the STOP program. Chair Salem thanked Mr. Vu and invited back when JEA completes their masterplan to provide another presentation.

Item/File No.	Title History
1. <a href="#">2020-0058</a>	ORD Apv & Auth Jax Aviation Authority (JAA) to Withdraw from Risk Mgmt. Insurance Prog. Operated by City of Jax in accordance w/Sec 128.106, Ord Code, Prov for Return of JAA Funds; Prov for Prospective Effec Withdrawal Date. (Sidman) (Req of JAA) 1/28/20 CO Introduced: TEU, F 2/3/20 TEU Read 2nd & Rerefer 2/4/20 F Read 2nd & Rerefer 2/11/20 CO PH Read 2nd & Rereferred;TEU,F 3/16/20 TEU Meeting Cancelled COVID-19/Emergency-No Action 3/17/20 F Meeting Cancelled COVID-19/Emergency-No Action 3/24/20 CO Meeting Cancelled COVID-19/Emergency-No Action 8/31/20 TEU Withdraw 6-0 9/1/20 F Withdraw 6-0 Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 2/11/20

**WITHDRAW (At request of JAA)**

**Aye:** 6 - Salem, Gaffney, Wilson, Ferraro, Morgan and Becton

**Excused:** 1 - Cumber

2. [2020-0107](#) ORD Approp \$497,195.63 from Retained Earnings in Subfund 561 to Subfund 561 Self-Insurance Acct to Return Excess FY 2019 Gen Liability Loss Provision to JAA in Amt of \$9,035.70 & Return Excess Workers' Comp Loss Provision to JAA in Amt of \$488,159.93. (B.T. 20-049) (McCain) (Req of Mayor)  
2/11/20 CO Introduced: TEU, F  
2/18/20 TEU Read 2nd & Rerefer  
2/19/20 F Read 2nd and Rerefer  
2/25/20 CO PH Read 2nd and Rerefered;TEU, F  
3/16/20 TEU Meeting Cancelled COVID-19/Emergency-No Action  
3/17/20 F Meeting Cancelled COVID-19/Emergency-No Action  
3/24/20 CO Meeting Cancelled COVID-19/Emergency-No Action  
8/31/20 TEU Withdraw 6-0  
9/1/20 F Withdraw 6-0  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601- 2/25/20

**WITHDRAW (At request of the Administration)**

**COMMENTARY:** Council Member Morgan asked for clarification about the withdrawal request. Chair Salem provided an explanation of the bill saying that this bill pulls out the worker's compensation benefit out of the consolidated system that it currently is in. Chair Salem said that he shared his concerns about pulling a part out of the collective with the JAA board, ultimately leading to the request to withdraw this and the previous bill, 2020-0058. Council Member Morgan asked if this is the end for these bills or if more requests are anticipated. Chair Salem said that it is his belief that no more requests will be made. Council Member Becton asked for an explanation from the Administration for the reasoning for withdrawing these bills. Philip Peterson, Council Auditor's Office, said that there was an error in one of the lines from the previous year's JAA budget coupled with the added costs to JAA and the City if the bills went through ultimately led to the decision for withdrawal.

**Aye:** 6 - Salem, Gaffney, Wilson, Ferraro, Morgan and Becton

**Excused:** 1 - Cumber

3. [2020-0419](#) ORD 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)  
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  
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)**

4. [2020-0486](#) ORD Estab a Neighborhood Assessment Prog (NAP) for the South End River Rd.-NW End River Oaks Rd. Neighborhood for Underground Power & Communications Improvements, Pursuant to Chapt 714 (Neighborhood Assessment Progs.), Pt 3 (Underground Power & Communications Prog. Area), Ord Code; Identifying JEA for NAP Proj Performance; Expressing Intent to Use Uniform Method for Non-Ad Valorem Assessmts; Pursuant to Sec. 197.3632(3)(a), F.S.; Directing Distribution of this Ord by Legislative Svcs. (Eller) (Introduced by CM Cumber)
- 8/11/20 Introduced: NCSPHS, TEU  
8/17/20 NCSPHS Read 2nd & Rerefer  
8/17/20 TEU Read 2nd & Rerefer  
8/25/20 CO Read 2nd & Rereferred;NCSPHS,TEU  
8/31/20 NCSPHS Approve 7-0  
8/31/20 TEU Approve 7-0  
Public Hearing Pursuant to F.S. Sec. 197.3632(3)(a) – 9/8/20

#### APPROVE

**COMMENTARY:** Council Cumber provided an explanation of the bill. There are six neighbors that have requested and are funding the installation of underground powerlines. Council Member Ferraro asked about the process and how it can be duplicated in other parts of City. Shannon Eller, Office of General Counsel, explained the process for requesting underground powerlines and said that it is possible for residents from other parts of the City to request the service. Chair Salem asked about the annual assessment position of the bill. Ms. Eller explained that the annual assessment price listed in the bill is a preliminary assessment and the actual annual assessment fee will be determined when the project is completed.

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

- The cost of the Neighborhood Assessment Program will be initially funded by JEA and refunded to JEA through a non-ad valorem assessment
- Estimated cost of the project is \$67,902
- Estimated annual assessment of \$906.07 for a period of 20 years to six benefiting property owners
- There is no financial obligation of the City



5. [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 Improvemt 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)**

6. [2020-0498](#) ORD Closing & Abandoning &/or Disclaiming Unopened & Improved Portion R/W in Jax Heights w/in the Cecil Commerce Center at Req of City of Jax's OED ("Applicant"); Oversight by OED & the Real Estate Div of the Dept of Public Works. (Dist 12-White) (Sawyer) (Req of Mayor)  
8/11/20 CO Introduced: TEU  
8/17/20 TEU Read 2nd & Rerefer  
8/25/20 CO PH Read 2nd & Rereferred;TEU  
8/31/20 TEU PH Approve 6-0  
TEU PH - Pursuant to Sec 336.10, F.S. – 8/31/20  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 8/25/20

**PH APPROVE**

**COMMENTARY:** Chair Salem opened and closed the public hearing for the bill. Kirk Wendland, Office of Economic Development, explained the bill noting that it is a simple right-of-way closure that has met all of the requirements by the various City agencies.

**Aye:** 6 - Salem, Gaffney, Wilson, Ferraro, Morgan and Becton

**Excused:** 1 - Cumber

7. [2020-0519](#) ORD Approving the City of Jax's Purchase of a Portion of RE# 008965-0450, a Permanent Drainage Easement of 5.506 Acres, More or Less, Over Parcel 802, to Allow the City to Construct a Pond Site, & Another Portion of Re# 008965-0450 Adjacent to Parcel 802, a Temporary Construction Easement of 2.577 Acres, More or Less, Over Parcel 719, to Allow the City to Deposit Excavated Material Created by the Pond Site, in Accordance with the Terms of the Easement Purchase & Sale Agreement for the Chaffee Rd. Proj.; Auth the Mayor, or his Designee, & Corp. Secretary to Execute & Deliver, the Agreement & All Necessary Docs.(Dist. 12-White) (McCain) (Req of Mayor)  
8/25/20 CO Introduced: TEU, F  
8/31/20 TEU Read 2nd & Rerefer  
9/1/20 F Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

**READ 2ND & REREFER**

8. [2020-0523](#) ORD Approp. \$ 45,130.14 from the Dept. of Homeland Security/FEMA through the FDEM to Provide Funding for the Purchase of a Heavy Duty Tow Vehicle for the Infectious Disease Response Unit, Auth Mayor, or his Designee, & Corp. Secretary to Execute & Deliver, on Behalf of the City, the Federally-Funded Subaward & Grant Agreement btwn FDEM & the City of Jax; Oversight by Emerg. Preparedness Div. (B.T. 20-105) (McCain) (Req of Mayor)  
8/25/20 CO Introduced: NCSPHS,TEU,F  
8/31/20 NCSPHS Read 2nd & Rerefer  
8/31/20 TEU Read 2nd & Rerefer  
9/1/20 F Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

**READ 2ND & REREFER**

9. [2020-0526](#) ORD Approp \$60,000.00 from the State of FL Dept. of Environmental Protection for a Proj. Titled AAA Public Engagement Workshops for Continued Resiliency Planning; Providing for a Carryover of Funds to the Subsequent Fiscal Yr.; Apv & Auth Mayor & Corp. Secretary to Execute & Deliver the Standard Grant Agreement btwn the State of FL Dept. of Environmental Protection & the City of Jax; Oversight by Planning Dept. (B.T. 20-109) (McCain) (Req of Mayor)  
8/25/20 CO Introduced: NCSPHS, TEU,F  
8/31/20 NCSPHS Read 2nd & Rerefer  
8/31/20 TEU Read 2nd & Rerefer  
9/1/20 F Read 2nd & Rerefer  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

**READ 2ND & REREFER**

10. [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  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/8/20

**READ 2ND & REREFER**

11. [2020-0530](#) RESO Concerning Early Retirement Benefits Pertaining to General Employees Pension Plan, Chapt 120, Pt 2, Ord Code; Apv & Encouraging the Mayor to Explore Addn'l Early Retirement Benefits for Members of the General Employees Retirement Plan; Directing Chief of Legislative Svcs Upon Adoption to Forward the Resolution to the Mayor's Ofc; Req an Actuarial Report; Req Emerg Passage Upon Intro. (Sawyer) (Introduced by CM Dennis)  
8/25/20 CO Introduced: NCSPHS, TEU, F, R  
8/31/20 NCSPHS Emergency/Amend/Approve 7-0  
8/31/20 TEU Emergency/Amend(NCSPHS)/Approve 6-0  
9/1/20 F Emergency/Amend(NCSPHS)/Approve 6-0  
9/1/20 R Emergency/Amend(NCSPHS)/Approve 7-0

**EMERGENCY/AMEND(NCSPHS)/APPROVE**

**COMMENTARY:** Council Member Morgan asked about the amendment to change the bill to be a one-cycle emergency. Council Member Dennis said that the bill was initially mistakenly filed as an emergency upon introduction, but the intent was to have the committees have a chance to vote on the bill as a one cycle emergency. Paige Johnston, Office of General Counsel, explained the introduction process and the need to change the emergency to one-cycle to be able to be heard by the standing committees. Council Member Morgan asked for explanation as to why this bill should be a one-cycle emergency. Council Member Dennis explained that this bill is the resolution companion to the ordinance bill 2020-0529 and is needed to encourage the Administration to conduct an actuary impact study that is required to implement bill 2020-0529. Multiple Council Members still had questions regarding the need for emergency status. Philip Peterson, Council Auditor's Office, provided additional clarification noting that the original cause for emergency status was because an actuary impact study needed to be completed prior to the implementation of bill 2020-0529. Mr. Peterson noting that the Administration at the earlier NCSPHS committee meeting said that the actuary impact study has already been started regardless of this resolution's passage. Chair Salem said that the reasoning for the early retirement benefits stems from the COVID-19 pandemic. Mr. Peterson explained some of the changes to the early retirement policy that will be incorporated in the bill. Ms. Johnston explained the nature of the amendments noting the change in emergency status and addressing scrivener's errors. Council Member Dennis briefly explained the genesis of creating these bills noting a story that a constituent shared with him and his hopes and plans for these bills including the understanding that bill 2020-0529 will most likely be substituted based on the findings of the actuary impact study.

**Aye:** 6 - Salem, Gaffney, Wilson, Ferraro, Morgan and Becton

**Excused:** 1 - Cumber

**AMENDMENT**

1. Revise emergency to one-cycle
2. Pg. 1, line 17: strike "Part III" and insert "Part II"

PUBLIC COMMENT: Cornell Oliver discussed multiple topics including the usage of an infrastructure sales tax as a possible funding source for the STPO program.

**NOTE: The next regular meeting will be held Monday, September 14, 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 September 8, 2020 9:00 a.m.