

City of Jacksonville

1st Floor - Council Chamber
117 W. Duval Street



Meeting Minutes

Wednesday, October 14, 2020

9:30 AM

Virtual Meeting

Jacksonville Waterways Commission

CM Al Ferraro, Chair

CM Randy White, Vice Chair

CM Aaron Bowman

CM Terrance Freeman, Alternate

Robert Birtalan

Lindsey Brock

Matt Brockelman

Lane Burnett

State Rep. Cord Byrd

Mark Devereaux - Late Arrival

Marc Hardesty

Jill D. Haskell

Raymond S. Pringle, Jr.

Marshall Adkison, Ex-Officio

Adam Hoyles, Ex-Officio

Jessica Smith & Vonya Balogh, Legislative Assistants

Susan Grandin, Asst. General Counsel

Dr. Quinton White, Jacksonville University

Dr. Gerard Pinto, Jacksonville University

Richard Distel, Research Assistant

Jim Suber, Waterways Coordinator

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 purpose, 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.

RULE 4.505 DISRUPTION OF MEETING

No member of the audience shall applaud nor make any noise or remarks that are audible to the Committee that would indicate approval or disapproval of anything being discussed. Any disregard of this rule may result in removal by the Sergeant at Arms.

REQUEST TO SPEAK:

1. Fill out a speaker card.
2. Sign it if you are going to speak.
3. Read the rules on the back of the card.
4. Place card in tray.

PARKING: If you park in the Library Garage (Entry on Duval St, W of Main St), Please see the Legislative Assistant for ticket validation.

Note: Our next scheduled meeting is Thursday, November 12th, 2020

Meeting Convened: 9:31 AM

Meeting Adjourned: 12:21 PM

1. **Approval - Jacksonville Waterways Commission Minutes for September 9, 2020.**

Voice Vote 10-0

Minutes from the Jacksonville Waterways Commission Meeting were approved from September 9th, 2020.

2. **St. Johns River Status Report on Water Quality and Manatees - Dr. White & Dr. Pinto**

Dr. White said this has been a record hurricane season. With 16 straight days of rain, Jacksonville is 2 inches above normal in rainfall (51 inches). Water temperatures are still quite warm. Dr. White talked about the huge shifts in salinity. Dr. White said they are working on a boater compliance study which will be brought up later in the meeting in terms of the manatee protection study. Mr. Pringle asked about the salinity. Dr. White said that salt water is denser than fresh water, slightly fresher on the top of the water and with more salt water on the bottom. CM Bowman asked what we can do about speed zones. Dr. White said clearer signs are important and that it is a state and federal process which he has continued to push for more.

Dr. Pinto said that there are no more manatee deaths to report with 8 overall for the year.

James Richardson, EPB, talked about the State of the River Report. October 22nd will be the official release of the State of the River Report.

3. [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
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 9/22/20

Speakers:

CM Dennis

Paige Johnston

CM Dennis explained the bill which will exercise the local option vessel registration fee. These fees will be able to be used to help update and maintain the docks. Paige Johnston, OGC, explained that the Tax Collector's Office receives the boater registration fees, so these fees would be put into a trust fund that would have to be approved by the City Council and there would be an annual report to the Waterways Commission in regards to spending. CM Bowman asked about the City Council's role in spending these fees and the functionality. CM Dennis said the fees will go towards funding the Administration's program to rehab docks in Jacksonville. Mr. Adkison said this was looked into previously by Lori Boyer when she was a Council Member and the key is to make sure the money is going into the FIND fund. Susan Grandin, OGC, explained that these funds do go through a process. Mr. Hardesty asked if the funds could go through the Waterways Commission. Paige Johnston explained that the funds would have to go through the City Council for approval, but could also go to Waterways for their recommendation. Ms. Johnston explained the optional fee which would be an additional fee. Trista Carraher, Auditor's Office, said that the City would net approximately \$250,000 to \$300,000 based on registered boaters in 2019. Brian Burket, Parks Department, said that these funds would go towards the efforts of maintenance and updates for docks. Ms. Grandin said these funds could be used for patrol, regulation and maintenance for boating related activities in Duval County. Ms. Grandin said it could go to patrol or regulation of derelict vessels. Mr. Devereaux detailed how these funds could possibly be used for derelict vessels or floating structures since they have caused damage to docks. Mr. Devereaux, said that if they added "including but not limited to the safety of the boating public", so it could possibly be used for derelict vessels or floating structures. Paige Johnston wanted to make it clear about the annual registration and the optional fee. Ms. Johnston said that the annual fee could go towards the

derelict vessels and floating structures, while the optional fees could not go to the derelict vessels and floating structures. Mr. Deveraux said he would reach out to get an opinion on this issue from the State Attorney General. Ms. Johnston explained the timeline of the bill and when it could go into effect. CM Bowman suggested a special meeting to talk about this bill and said that a public meeting might be helpful. CM Dennis said he could schedule a public meeting for next week. The bill was deferred.

DEFER

4. [2020-0573](#) ORD Adopt Small-Scale FLUM Amendmnt to 2030 Comp Plan at 0 Parental Home Rd. btwn Bowden Rd. & Parental Home Rd. (6.80± Acres) – NC & RPI to RPI & CSV – 223 S. 9th Ave., Inc., (Appl# L-5465-20C) (SECPAC Deny) (Dist 4-Wilson) (Kelly) (LUZ) (Rezoning 2020-574)
 9/22/20 CO Introduced: LUZ, JWC (added to JWC on 9/29/20)
 10/6/20 LUZ Read 2nd & Rerefer
 10/13/20 CO Read 2nd & Rerefered; LUZ
 10/14/20 JWC Approve 11-0
 LUZ PH – 11/4/20
 Public Hearing Pursuant to Sec 163.3187, F.S. & Chapt 650, Pt 4, Ord Code – 10/27/20 & 11/10/20

Speaker:

Ed Lukacovic

Ed Lukacovic, Planning and Development, went over the land use amendment through a PowerPoint slide. He detailed the timeline for the amendment. The location is in the Northeast quadrant of the Parental Home Road and Bowden Road intersection. He went over the environmental and developmental impacts. Mr. Lukacovic explained that the green section in the handout was to be set aside for conservation. Mr. Devereaux asked if there was a reason why three years ago this didn't move forward. CM Ferraro said that the area highlighted for conservation was not set aside in the previous application. The area set aside now is 3.96 acres for wetlands.

APPROVE

Aye: 11 - Birtalan, Brock, Brockelman, Byrd, Haskell, Pringle, Burnett, Devereaux, Ferraro, Bowman, and White

Absent: 1 - Hardesty

5. [2020-0588](#) ORD Auth the Mayor & Corp Secretary to Execute a 2nd Amendmnt to the Contract with Jacksonville University to Renew the Contract for a 2nd Addnl Yr for Continuing Manatee Protection Studies for FY 2020-2021, & to Include the Continuing Task for a Boater Speed Zone Compliance Study, Subject to Appropriation by City Council. (Grandin) (Introduced by CM Ferraro) (Co-Sponsored by CM's Morgan & Salem)
9/22/20 CO Introduced: NCSPHS, F, JWC
10/5/20 NCSPHS Read 2nd & Rerefer
10/6/20 F Read 2nd & Rerefer
10/13/20 CO PH Read 2nd & Rereferred: NCSPHS, F, JWC
10/14/20 JWC Amend/Approve 11-0
10/19/20 NCSPHS Amend/Approve 5-0
10/20/20 F Amend(NCSPHS)/Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

Speakers:

Dr. Quinton White

Dr. Gerard Pinto

AMEND/APPROVE

CM Morgan said she wants to be a co-sponsor of 2020-588.

Aye: 11 - Birtalan, Brock, Brockelman, Byrd, Haskell, Pringle, Burnett, Devereaux, Ferraro, Bowman, and White

Absent: 1 - Hardesty

AMENDMENT

1. Pg. 1, lines 29 -30: strike “, and through Ordinance 2019-645-E”
2. Pg. 1, line 31: insert “amendment” after “contract”
3. Pg. 2, line 5: strike “competed” and insert “completed”
4. Pg. 2, line 16: strike “FY 19/21” and insert “FY 19/20”
5. Pg. 2, line 27: strike “October 2” and insert “October 3”
6. Attach Revised Exhibit 1 to:
 - a. Correct term to October 4, 2020 through October 3, 2021
 - b. Correct fiscal year under Scope of Work Task 7
 - c. Update insurance and indemnification language per Risk Management review
 - d. Correct scrivener’s errors

6. [2020-0589](#) ORD-MC Amending Chapt 34 (Neighborhoods Dept), Part 3 (Municipal Code Compliance Div), Sec 34.301 (Establishment; Functions); Amending Chapt 34 (Neighborhoods Dept), Part 4 (Environmental Quality Div), Sec 34.401 (Establishment; Functions) & Creating a New Sec 34.403 (Enforcement Officers); Amending Chapt 360 (Environmental Regulation), Part 1 (Public Policy; General Provisions), Sec 360.107 (Administration); Amending Title X (Environmental Affairs) to Create a New Chapt 388 (Boats & Waterways), Ord Code; Providing for Codification Instructions. (Grandin) (Introduced by CM Ferraro)
9/22/20 CO Introduced: NCSPHS, TEU, JWC
10/5/20 NCSPHS Read 2nd & Rerefer
10/5/20 TEU Read 2nd & Rerefer
10/13/20 CO PH Read 2nd & Rereferred: NCSPHS, TEU, JWC
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

Susan Grandin, Office of General Counsel, said they would like the bill to be deferred, so that it could be reworked to identify floating structures a public nuisance.

DEFER

7. [2020-0590](#) ORD Approp \$6,700.00 in Fund Balance from Environmental Protection Fund (The "Fund") to Provide Funding for Completion of 4-Yr, Comprehensive Study of Mercury in the Duval County Environment; Providing for Carryover of Fund thru 9/30/21; Provide for Waiver of Sec 111.755 (Environmental Protection Fund), Part 7, (Environment & Conservation), Chapt 111 (Special Rev & Trust Accounts), Ord Code, to Auth the Environmental Protection Board (EPB) to Utilize Funds from the Fund to Purchase Equipmnt to be Used During Mercury Study; Invoking the Exception of Sec 126.107(G), Chapt 126, Ord Code, to Allow for Direct Contract with Jacksonville University (JU) for the Mercury Study; Providing for Waiver of Sec 360.602, (Uses of Fund), Part 6 (Environmental Protection Fund), Chapt 360 (Environmental Regulation), Ord Code, to Auth EPB to Utilize Funds to Purchase Equipmnt to be Used During Mercury Study; Apv & Auth the Mayor, his Designee, & Corp Secretary to Execute & Deliver for & on behalf of the City, Any Amendmnts to Agreemnt btwn City of Jax & JU to Effectuate the Intent of this Ord; Oversight by Neighborhoods Dept, Environmental Quality Div; Requiring a Final Report. (B.T. 20-114) (Staffopolous) (Req of Mayor) (Co-Sponsored by CM's Morgan, Bowman & Ferraro)
9/22/20 CO Introduced: NCSPHS, TEU, F, R, JWC
10/5/20 NCSPHS Read 2nd & Rerefer
10/5/20 TEU Read 2nd & Rerefer
10/6/20 F Read 2nd & Rerefer
10/6/20 R Read 2nd & Rerefer
10/13/20 CO PH Read 2nd & Rereferred: NCSPHS, TEU, F, R, JWC
10/14/20 JWC Approve 12-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 10/13/20

Speaker:

CM Morgan

CM Morgan talked about the amazing work that is being done at Jacksonville University. This will complete a four year study to look into the effects mercury can have in the water system. Mr. Richardson said that this bill will just be asking for an extension to assess the levels of mercury in water, air, sediments, and fish. CM Bowman asked to be added as a co-sponsor. Mr. Pringle asked about the levels of mercury. Mr. Richardson said it is currently present in the water system and the level will depend on where in the system you look for mercury. Mr. Adkison talked about oyster harvesting and where they are looking to reopen these spaces after cleaning up the river. Phillip Peterson, Council Auditor's Office, clarified that the \$6,700 is in addition to the original contract. Mr. Richardson said this study was not a state mandated study and is based on the request of the board. CM Ferraro asked to be added as a co-sponsor.

APPROVE

Aye: 12 - Birtalan, Brock, Brockelman, Byrd, Haskell, Pringle, Burnett, Devereaux, Hardesty, Ferraro, Bowman, and White

8. New Business:

- **Begin Discussion on Storm Water Discharge into the St. John's River**
 - **CM Ferraro, John Pappas**

- **Discuss a Creation of a No Wake Zone/Slow Speed Zones Subcommittee**
 - **Commissioner Haskell**

- **Discuss Flood Concerns on Hood Road Boat Ramp - Jill Enz**

Discussion on Storm Water Discharge into the St. John's River

John Pappas, Public Works, talked about updating areas with new systems for storm water management. He said that fitting baffle boxes or storm receptors can be difficult. He talked about the application of the filters. CM Ferraro said he is working to help communities that are dealing with construction and issues with storm water discharge. Mr. Pappas talked about erosion and sediment controls and the importance of maintaining this until after the construction is finished.

Discuss a Creation of a No Wake Zone/Slow Speed Zones Committee

Ms. Haskell talked about issues regarding technicalities that they must meet. She suggested forming a committee in regards to no wake zone and slow speed zones. She said she would lead the committee. Mr. Birtalan, Mr. Adkison, Mr. Burnett and CM Bowman said they would be a part of the committee. Captain Suber said to just call the committee, the Wake Zone Committee. Dr. White offered to be a resource to the Committee.

Discuss Flood Concerns on Hood Road Boat Ramp - Jill Enz

Ms. Enz went over a PowerPoint which showed the Hood Landing Boat Ramp renovations. The total cost of the renovation was \$69,298. CM Ferraro asked about flooding in the area. Ms. Enz said it depends on if it is high tide.

9. Old Business:

- **Sandbar Created, Possibly as a Result of River Dredging**
- Eric Green
- **Update on Dredge Spoil Removal From Disposal Sites**
- Mark Crosley
- **Updates on Shad Creek - CM Ferraro**
- **FIND Subcommittee - CM Ferraro**

Sandbar Created, Possibly as a Result of River Dredging - Eric Green

James Bennett, Jaxport, talked about the tour along Blount Island and the use of drone flights to get visuals of the areas of concern. They could not get enough information from the drone flights to understand water depths. Jaxport will try again this Friday to get visuals of the locations and sandbar. CM Ferraro asked if one of these three members could go along on their tour: Mr. Devereaux, Mr. Adkison or Mr. Hardesty. Mr. Bennett clarified that these drones are solo. Mr. Harrah, USACE, said they had already done a boat ride with Mr. Hardesty where they clarified the location of the shoal.

Update on Dredge Spoil Removal From Disposal Sites - Mark Crosley

Mr. Crosley, FIND Office, talked about spoil sites - Jacksonville has 6 sites.

Updates on Shad Creek - CM Ferraro

CM Ferraro said there will be a meeting with the Administration, CM Ferraro and the community to look at the waterways and wake zones in the area. This would be a follow up to a previous meeting where the community highlighted the areas of concern.

FIND Subcommittee - CM Ferraro

Mr. Devereaux said they are continuing to look for funding sources.

10. Public Comment

Mr. A.J. Tully talked about the location that is designated for wake zones. CM Ferraro said he needs to get everyone involved and the help of other outside groups such as the state.

11. Adjournment

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 12 - Commissioner Robert Birtalan, Commissioner Lindsey Brock, Commissioner Matt Brockelman, Commissioner Cord Byrd, Commissioner Jill Haskell, Commissioner Raymond Pringle, Commissioner Lane Burnett, Commissioner Mark Devereaux, Commissioner Marc Hardesty, Chair Al Ferraro, Council Member Aaron Bowman, and Vice Chair Randy White

Minutes: Richard Distel, Council Research Division
rdistel@coj.net (904) 255-5140
Posted 10.25.20 6:00 p.m.