

City of Jacksonville

117 W Duval St
Jacksonville, FL 32202



Meeting Minutes

Monday, January 31, 2022

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: 2:00 PM Meeting Adjourned: 3:19 PM

Attendance: Council Members Joyce Morgan (Chair), Al Ferraro, Danny Becton, Matt Carlucci, LeAnna Cumber, Randy DeFoor, Terrance Freeman

Also: Bernadette Smith and Melodi Murray – Legislative Services Division; Peggy Sidman, Lawsikia Hodges and Susan Grandin – Office of General Counsel; Jeff Clements – Research Division; Ed Linsky – Council Auditor’s Office; John Pappas – Public Works Department; Joey Greive – Finance and Administration Department; Rachel Zimmer – Mayor’s Office

Item/File No.

Title History

1. [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) (PD & PC Apv)
11/23/21 CO Introduced: TEU,LUZ
12/6/21 TEU Read 2nd & Rerefer
12/7/21 LUZ Read 2nd & Rerefer
12/14/21 CO Read 2nd & Rereferred:LUZ
1/11/22 CO PH Only
1/31/22 TEU Approve 7-0
LUZ PH-1/19/22, 2/1/22
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-1/11/22

Susan Grandin of the Office of General Counsel explained the genesis of this bill which resulted from the redevelopment of a corner lot in the Arlington area illustrating a difficulty in the application of a portion of the Zoning Code regarding unobstructed sight lines at intersections. In response to a question from CM Ferraro, Ms. Grandin explained that the Florida Department of Transportation standards are very customizable to a wide variety of circumstances.

APPROVE

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

2. [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 Propty) of Chapt 122 (Public Propty), Ord Code, to Allow for the Conveyance of the Subject Parcel to in the Word International, Inc., the Neighboring Propty 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
12/14/21 CO PH Read 2nd & Rereferred: NCSPHS, TEU, R
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-12/14/21

Deputy General Counsel Peggy Sidman related that the church involved with this property conveyance is in the process of paying off several liens and satisfying tax issues on other parcels of property it owns.

DEFER

3. [2021-0885](#) ORD Apv & Auth the Mayor, or His Designee, & the Corp Sec to Pursue or Seek Waiver of Collection of the Local Option Gas Tax Within the 2021-2022 Budget Yr Consistent with a Period of Time to Align with the State Suspension of the State Gas Tax Collection Should the State Allow for Waiver of the Prov of Sec 336.025 & 336.021, FL Statutes, so that Local Govts Have the Ability to Suspend Collection of Local Option Gas Taxes; Offering Findings & Statemnts of Fact; Directing Legislative Services Div to Forward to the FL Legislature, the Duval Legislative Delegation, & the FL Dept of Revenue (Johnston) (Introduced by CM Dennis)
12/14/21 CO Introduced: NCSPHS, TEU, F, R
1/3/22 NCSPHS Read 2nd & Rerefer
1/3/22 TEU Read 2nd & Rerefer
1/4/22 F Read 2nd & Rerefer
1/4/22 R Read 2nd & Rerefer
1/11/22 CO PH Read 2nd & Rereferred:NCSPHS, TEU,F, R
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 1/11/22

DEFER

4. [2021-0898](#) RESO Encouraging the State to Allow Local Govs to Waive the Provision of Sec 336.025 & 336.021 FL Statutes, to Allow Local Govs the Ability to Suspend Collection of Local Option Gas Taxes if the State Suspends the State Gas Tax for a Period of that time is Consistent with The State's Suspension; Offering Findings & Statements of Fact; Addn'l Apv & Auth Required to Execute Docs Related to the Waiver of State Statutes to Suspend Collection of the LOGT and Transfer of Funds to Prevent Funding Lapse; Directing Legislative Services Div to Forward to the FL Legislature, the Duval Legislative Delegation & the FL Dept of Revenue (Johnston) (Introduced by CM Dennis)
12/14/21 CO Introduced: NCSPHS, TEU, F, R
1/3/22 NCSPHS Read 2nd & Rerefer
1/3/22 TEU Read 2nd & Rerefer
1/4/22 F Read 2nd & Rerefer
1/4/22 R Read 2nd & Rerefer
1/11/22 CO Read 2nd & Rereferred:NCSPHS,TEU,F, R

DEFER

5. [2022-0024](#) ORD Approp \$25,000 From Contingency FIND Match to the Downtown Landscape Enhancements Proj (The "Project") for Completion of Irrigation Installation on Water St Medians; Purpose of Approp; Amending the 2022-2026 5-Yr CIP Apv'd by Ord 2021-505-E to Reflect this Transfer of Funds to the Project (B.T. 22-039) (Staffopoulos) (Introduced by CP Newby at Req of Mayor) (JWC Apv)
1/11/22 CO Introduced: NCSPHS, TEU, F, JWC
1/18/22 NCSPHS Read 2nd & Rerefer
1/18/22 TEU Read 2nd & Rerefer
1/19/22 F Read 2nd & Rerefer
1/25/22 CO PH Read 2nd & Rereferred:NCSPHS,TEU,F
1/31/22 NCSPHS Amend/Approve 7-0
1/31/22 TEU Amend/Approve 7-0
2/1/22 F Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 1/25/22

Ed Linsky of the Council Auditor's Office described the amendments from prior committees and Public Works Director John Pappas described the project.

AMEND/APPROVE

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

AMENDMENT

Attach Revised Exhibit 2 (CIP) to reflect the correct Funding Source

- **Bills 2022-24 and 2022-26 propose to use the same funding source. There is an insufficient amount of funds to cover both appropriations as proposed. The proposed funding source (FIND Contingency Match) has an available balance of \$90,000, while the proposals total \$115,000.**
- **At their January 12, 2022 meeting, the Jacksonville Waterways Commission recommended reducing the appropriation in 2022-26 to \$65,000**

6. [2022-0025](#) ORD Approp \$30,000.00 in Grant Funding from the FL Fish & Wildlife Conservation Commission (The “FWC”) for Reimbursement of the COJ’s Costs to Remove 2 Derelict Vessels Located in Public Waterways in the COJ; Purpose of Approp; Providing for Oversight by the Neighborhoods Dept, Environmental Quality Div (B.T. 22-031) (Staffopoulos) (Introduced by CP Newby at Req of Mayor) (JWC Apv)
1/11/22 CO Introduced: NCSPHS, TEU, F, JWC
1/18/22 NCSPHS Read 2nd & Rerefer
1/18/22 TEU Read 2nd & Rerefer
1/19/22 F Read 2nd & Rerefer
1/25/22 CO PH Read 2nd & Rereferred:NCSPHS,TEU,F
1/31/22 NCSPHS Approve 5-0
1/31/22 TEU Approve 7-0
2/1/22 F Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 1/25/22

CM Ferraro asked to be added as a co-sponsor.

APPROVE

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

7. [2022-0032](#) ORD Auth the Mayor, or his Designee, & the Corp Sec to Execute & Deliver a Locally-Funded Agreemt (Lump-Sum) btwn the State of FL Dept of Transportation (“FDOT”) & the COJ Pursuant to Which the City Agrees to Pay FDOT \$1,200,000 for Certain Roadway Improvemts; Providing for Oversight by the Engineering & Construction Mgmt Div of the Dept of Public Works (Staffopoulos) (Introduced by CP Newby at Req of Mayor)
1/11/22 CO Introduced: NCSPHS, TEU, F
1/18/22 NCSPHS Read 2nd & Rerefer
1/18/22 TEU Read 2nd & Rerefer
1/19/22 F Read 2nd & Rerefer
1/25/22 CO PH Read 2nd & Rereferred:NCSPHS, TEU, F
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 1/25/22

Ed Linsky of the Council Auditor’s Office said that legal issues are being worked out with FDOT regarding funding years and Council approval of future expenditures.

Randy DeFoor was called to speak.

DEFER

8. [2022-0034](#) ORD Apv & Auth the Mayor, or his Designee, & Corp Sec to Execute & Deliver an Assumption Document re the Amended & Restated Agreement for Residential Waste & Recycling Collection & Transportation Svcs (Contract #9165) (“Amended & Restated Agreement”) btwn the COJ (“City”) & Waste Mgmt Inc. of FL (“Waste Management”), a FL Corp (The “Assumption Document”); Approving the Transfer by Corp Merger of the Amended & Restated Agreement to Waste Mgmt with Contingency; Waiving Certain Transferability Requirements of Sec 382.308 (Contract Provisions; Exemptions from Purchasing Code, Extension of Contracts), Pt 3 (Selection of Waste Collection & Disposal Svc Areas & Contractors), Chapt 382 (Waste Collection & Disposal Svc by Contractors & City), Ord Code, to Allow for the Assumption Document btwn the City and Waste Mgmt; Providing for City Oversight by the Solid Waste Div of the Dept of Public Works (Hodges) (Introduced by CP Newby at Req of Mayor)
1/11/22 CO Introduced: NCSPHS, TEU, F, R
1/18/22 NCSPHS Read 2nd & Rerefer
1/18/22 TEU Read 2nd & Rerefer
1/19/22 F Read 2nd & Rerefer
1/19/22 R Read 2nd & Rerefer
1/25/22 CO PH Read 2nd & Rereferred:NCSPHS, TEU, F, R
1/31/22 NCSPHS Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 – 1/25/22

Ed Linsky of the Council Auditor’s Office explained the amendment. The committee engaged in a lengthy discussion of the quality of service being provided by the company and possible means to obtain service improvements. Questions were posed about the timing of the corporate merger and lack of notice to the City before the transaction was completed. A motion to defer the bill to the next committee meeting was approved 4-3.

DEFER 4-3

Aye: 4 - Ferraro, Carlucci, DeFoor and Freeman

Nay: 3 - Morgan, Becton and Cumber

9. [2022-0057](#) ORD Approp \$421,685 Paid by Berkley Program Specialists to the City of Jax for Damages caused to Trees in Pinehurst Cemetery & Providing for use of said funds to remove the damaged Trees; Purpose of Approp; Providing for Oversight by the Dept. of Public Works, Mowing & Landscape Div. (B.T. 22-043) (Staffopoulos) (Introduced by CP at the Req of the Mayor)
1/25/22 CO Introduced: NCSPHS, TEU, F
1/31/22 NCSPHS Read 2nd & Rerefer
1/31/22 TEU Read 2nd & Rerefer
2/1/22 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-2/8/22

READ 2ND & REREFER

10. [2022-0060](#) ORD-MC Relocating the Derelict Vessel & Floating Structure Removal Fund from Chapt 110, Pt 4, Sec. 110.414 to Chapt 111, Pt 7, Sec. 111.787; Repealing Sec 110.414 (Derelict Vessel & Floating Structure Removal Trust Fund), Pt 4 (Continuing Approps), Chapt 110 (City Treasury), Ord Code; Creating a New Sec 111.787 (Derelict & Abandoned vessels & Floating Structure Enforcement & Removal Trust Fund), Pt 7 (Environment & Conservation), Chapt 111 (Special Revenue & Trust Accts), Ord Code. (Grandin) (Introduced by CM DeFoor)
1/25/22 CO Introduced: NCSPHS, TEU, F, JWC
1/31/22 NCSPHS Read 2nd & Rerefer
1/31/22 TEU Read 2nd & Rerefer
2/1/22 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-2/8/22

READ 2ND & REREFER

11. [2022-0061](#) ORD-MC Approp \$310,500 in the Derelict Vessel & Floating Structure Removal Fund from the Parks Dept to Neighborhoods Dept in order to Provide the Neighborhoods Dept Funding to Implement & Enforce the Newly Created Chapt 388, Ord Code (Boats & Waterways); Amend Chapt 388 (Boats & Waterways), Ord Code, to Create a New Pt 4 (Anchoring Limitation Areas); Providing that Council is Exercising County Powers; Providing for Codification Instructions; Providing Directive to Neighborhoods Dept. (Grandin) (Introduced by CM DeFoor)
1/25/22 CO Introduced: NCSPHS, TEU, F, JWC
1/31/22 NCSPHS Read 2nd & Rerefer
1/31/22 TEU Read 2nd & Rerefer
2/1/22 F Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-2/8/22

READ 2ND & REREFER

Future Meeting Presentations

February 14: Anne Coglianese - Chief Resiliency Officer

February 28: Melissa Long – Chief of Environmental Quality

March 14: Mark Van Loh – Executive Director, Jacksonville Aviation Authority

Public Comment

Carnell Oliver said the problem with waste collection in the city is the economics of the system. Businesses no longer have the leverage they used to have over workers because of the current labor shortage which gives the advantage to workers. Corporations earned the difficulties they are now facing through years of abusing workers.

NOTE: The next regular meeting will be held Tuesday, February 14, 2022.

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

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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

Jeff Clements - Council Research Division
jeffc@coj.net 904-255-5137
Posted 2.2.22 12:00 p.m.