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|  | **OFFICE OF THE**  **CITY COUNCIL** |  |
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**AMENDED**

**NEIGHBORHOOD BLIGHT AD HOC COMMITTEE MEETING MINUTES for April 17, 2014**

April 21, 2014

5 p.m.

**Amended to reflect that Aleizha Batson attended the meeting and includes the meeting date.**

**Location:** Don Davis Room, City Hall, 117 West Duval Street.

**In Attendance:** Chair CM E. Denise Lee, CM John Crescimbeni, CM Jim Love, Sgt. Davis Oliver, JSO;

Lin White, Public Works; Michelle Tappouni, the Vice Chair of the Environmental Protection Board; Alison DeBelder, JALA; Terry Carr, EQD; John Flowe, EQD; Dave McDaniel, Public Works; Lisa Darnall, JTA; John Shellhorn, COJ-EQD; Connie Hold, ECA District 11; Cherry A, Shaw, OGC; Bryan Mosier, MCCD; Hosea Small, citizen; Jennifer Hewett-Apperson, DVA; Jim Robinson, Public Works; Alex Pellom, EPD; Melody Shacter, Business owner; Jeff Foster, Public Works; Sherry Wilson, Parks and Recreation; Calvin Burney, JPDD; Kevin Kozel, ECA District 14; Daphne Colbert, Dr. Juan Gray, SCLC, **Aleizha Batson, COJ**; and Dan Macdonald, ECA District 8.

**Excused:** CM Bill Bishop, CM Warren Jones, CM Johnny Gaffney

**Special Note:** Due to schedule conflicts the next meeting of the Neighborhood Blight Ad Hoc Committee will be on **Wednesday May 7 at 10 a.m.** in the Lynwood Roberts Room. The suggested date for the inspection trip vis JTA bus of the Blight Advisory Committee is **Thursday May 22, 2014**.

On Thursday May 22, a meeting of the Blight Advisory Committee will take place during an inspection trip via JTA bus.

The meeting convened at 10:15 a.m. **April 17** and the minutes from the April 3, 2014 meeting were approved 3-0.

Mobile car washes

Terry Carr of the Environmental Quality Division distributed copies of the division’s regulations on car washes and gave an overview of the division’s inspection process which is solely concerned with discharges from car washes into public drainage facilities, not with permitting or licensing issues. Licensing and zoning issues are coordinated with the appropriate regulatory agencies. The division depends on reporting from the public or other agencies to identify facilities needing inspection. The inspection looks for any discharges from the site and whether the facility is utilizing best management practices for car washes, which are enforced by the Florida Department of Environmental Protection. Referrals to other regulatory agencies (FDEP, JEA, Tax Collector, and Code Compliance) are made by e-mail and telephone call. Council Member Lee suggested the need for a formal written letter in the City’s files documenting all complaints and inspection results rather than dependence on the CARE system computer and e-mail records to provide verifiable proof of contacts.

Mr. Carr discussed the findings of the division’s 5 inspections of the car wash at 4520 Moncrief Road as requested by Council Member Lee. The inspections found no run-off from the site during any of the 5 visits so the operator was reminded of the FDEP’s best management practices and no further action was taken. Mr. Carr reviewed all of the information captured on the division’s car wash inspection form. Chairwoman Lee said that car washes need scrutiny because of the possibility of the use of car washes as fronts for criminal activity; she has seen vehicles arrive and leave car washes with no actual washing taking place. Mr. Carr agreed to amend the inspection form to include an entry for any visible evidence of vehicles being or having recently been washed at the site. Council Member Crescimbeni suggested a notation indicating whether water is available at the site as a clear indication of whether the facility could be a legitimate car wash or not.

Kim Scott stated that if Code Compliance inspectors see congregations of vehicles with none actually being washed, they will alert the Sheriff’s Office of that suspicious behavior. Sergeant David Oliver of the JSO suggested that the DART enforcement/abatement could be used as an avenue for dealing with these problems. Ms. Scott said that the DART process starts with complaints from the public that must be verified by the JSO through observation of criminal by an undercover officer. The DART process brings many City resources to bear on a site, with multiple agencies enforcing their own regulations. Chairwoman Lee asked the Planning and Regulatory Compliance Departments to communicate about how mobile car washes are legally permitted and to coordinate their efforts to attack problem locations in the most efficient manner. Mr. Carr stated that the inspection form has been amended to clearly state that no discharge is permitted to the City’s property, starting immediately. Ms. Lee suggested that the words “cease and desist” be added to emphasize that the conduct must stop immediately.

**Motion:** the committee accepts the revised inspection form as amended today – **approved.**

Mr. Carr said that if the violator does not cease the violation then the enforcement process begins, which can be time consuming while documentation is gathered, signatures are obtained, and an opportunity for compliance is given. Peggy Sidman of the Office of General Counsel explained the requirements for due process of law when a person’s property or livelihood is threatened with seizure or shutdown, and offered to examine the applicable state laws and local ordinances to determine the minimum allowable time frame for legal action. Mr. Carr said that his department sometimes utilizes negotiated settlements with violators if they agree to cease the activity without the City having to go through the full legal enforcement process.

Bus stop blight

Peggy Sidman discussed the requirements of the Government in the Sunshine Law with regard to a public notice body taking a bus trip to make an inspection, noting that any member of the general public or the media who wants to ride along must be given that opportunity and that it would be preferable if the committee did not talk about its business while on the inspection visit but saved the discussion for a subsequent noticed meeting to talk about what was observed. The group discussed holding the bus trip in lieu of one of its regularly scheduled meetings. Lisa Darnall of JTA and Ms. Sidman will coordinate on the planning and noticing of the event for May 22nd. Ms. Darnall distributed and discussed a packet of information about bus stop usage nationally and mentioned that the JTA is considering eliminating some of its lesser used bus stops. Ms. Lee reported that the Human Blight Committee received a list of crime incidents at bus stops from the JTA and JSO.

Robocalls legislation

Cherry Shaw of the General Counsel’s Office reported on her research into the use of robocalls to call the phone numbers posted on illegal snipe signs. She has contacted code enforcement staff in several jurisdictions that use robocall enforcement to ask about their experiences and found that they are generally satisfied that the calls are working to reduce the illegal sign problem. The calls tell the company that their sign violates the City ordinance and requests that a company representative come to the code enforcement office to discuss the problem. Her research with the other jurisdictions indicates that no legislative change is needed to implement the robocall system and that the response of a sign poster to the call by visiting the code enforcement office is sufficient evidence for the officer to issue a code violation. Peggy Sidman suggested the prudence of adopting administrative policies to specify how many calls the City will make to each number each day so as not to be liable to a charge of harassment but to achieve the desired end.

Robocalls ITD solutions

Robert Prado, Acting Chief of Code Enforcement, has been meeting with the Information Technology Division about potential robocalling systems and their costs and capabilities. Call-Em-All is a cloud-based system with nearly unlimited capability for numbers that can be entered and called. He estimates that Jacksonville’s signage problem (assume adding 400 numbers per week) would produce about 15,000 – 20,000 numbers to be called per year, the cost for which would be $1,050 for 15,000 calls. The Voicent system would charge $1,900 for a license that would provide for an unlimited number of calls, but the capacity is limited by the number of telephone lines available to make the calls. It is estimated that 23 phone lines would be needed to handle the City’s call volume at a cost of $1,000 per month. He is currently leaning toward recommending the RoboCall system with a one-time licensing cost of $1,900 and then the cost of the number of phone lines needed to handle the volume and to rotate numbers so that the companies don’t recognize and block the City’s incoming calls. Jacksonville’s number of signs and land mass make our sign problem much larger in scope than the other jurisdictions that have implemented similar systems. Mr. Prado is working with ITD on an enterprise solution that will reduce the number of phone lines needed and the cost for those lines and is working on estimates of the potential cost reductions available by making calls every other day rather than every day, or rotating phone numbers on a periodic basis to reduce blocking. ITD will need a database to store all of the numbers as evidence of the enforcement effort which will incur some additional cost. Ms. Lee requested that a representative of the Information Technology Division be present at the next meeting to address the robocall issues.

Chairwoman Lee requested the committee members to provide their list of 10 high priority thoroughfares to her office by Wednesday of next week.

The committee will move its next meeting to Wednesday, May 7th at 10 a.m. in recognition of The Players Championship beginning on the 8th, and the bus tour will be moved to the May 22nd meeting.

Downtown building deterioration

Kim Scott addressed the building at 218 West Church Street which has numerous continuing code violations and is visible from the windows of many council members’ City Hall offices. The building has accumulated administrative liens of $250 per day since 2005 which now amount to over $800,000. The special magistrate has issued an order for ground floor windows to be replaced within 180 days and the building owner has contacted the Downtown Investment Authority for assistance in getting the liens removed, but a meeting has not yet been scheduled between the owner and DIA. Chairwoman Lee urged fair but forceful enforcement of the ordinance in the same manner as the code is being enforced in neighborhoods.

District 11 issues

Connie Holt, ECA for Council District 11 Council Member Ray Holt, reported on several problems on Taylor Field Road off Old Middleburg Road where 12 to 15 homes are placing their garbage cans at the end of a cul-de-sac between two homes. Code Enforcement and the Solid Waste Division are aware of the issue and it is a problem of long standing with no easy solution. Ms. Lee asked the Planning Department, JSO, Peggy Sidman and any other relevant division to meet and arrive at some solution for this problem. Ms. Lee requested a report at the May 7th meeting.

Ms. Holt also reported on a City park on Lannie Road that is part of property that is going to be incorporated into the National Cemetery where a dumpster has been removed by the Parks and Recreation Department because it was being used not by park patrons but by adjacent property owners for waste disposal. Ms. Lee asked the Parks and Recreation Department to report at the May 7th meeting.

Ms. Lee directed Dan Macdonald to send a letter to each council member and to the other non-Council committee members requesting their list of 10 high priority thoroughfares which will be submitted to the Mowing and Landscape Maintenance Division. Dave McDaniel was asked to report on his Division’s plans and priorities at the next meeting.

Tire and sign buy-back update

Ms. Lee said that the buy-back was a great success and has kicked off additional community improvement efforts around the city, and congratulated everyone involved for their hard work and cooperation.

Jeff Foster reported that $136,038 of the $180,000 appropriated for the event was expended for the buy-backs, dumpster costs, publicity, etc. The remaining balance will be returned to the fund of origin. The event produced 109 roll on/roll off dumpsters of tires, which will be chipped and recycled, and 2 large dumpsters of signs. 23,958 tires were collected at a cost of $5.65 per tire versus $26.85 per tire for the tires collected by City forces during the neighborhood blight campaign. $41,275 was paid out in reward money of the $65,000 appropriated for that function. Ms. Lee asked Mr. Foster to produce a final report on the event for the next committee meeting and to recommend how often another buy-back event should be scheduled.

Public Comment

Melody Shacter, business owner, reported that blight is moving into the Arlington area and is hopeful that the same efforts being directed to downtown will also be directed to the neighborhoods. Mr. Prado said that his division is working with Jacksonville University to identify blighted corridors in the JU area for intensive attention.

Michelle Tappouni, the Vice Chair of the Environmental Protection Board, complimented the EPB staff for their good work. As a member of Springfield Preservation and Restoration (SPAR), she looked forward to continued conversation about the level of code enforcement in Springfield and how to develop a partnership and a good working relationship with Code Enforcement and the Blight Committee.

Hosea Small, resident, said that car wash regulations appear to be contradictory and hard to enforce. He suggested that the existing laws need to be better enforced, including requiring evidence that cars are actually being washed at the locations to prove that they aren’t a front for other types of activity.

The meeting adjourned at 12:34 p.m.

Minutes packet includes: Meeting Notice, Minutes, Sign-in Sheet, and audio CD of meeting.