

City of Jacksonville

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



Meeting Minutes

Wednesday, October 13, 2021

9:30 AM

Council Chambers 1st Floor, City Hall

Jacksonville Waterways Commission

*CM Al Ferraro, Chair
CM Michael Boylan, Vice Chair
CM Garrett Dennis
CM Matt Carlucci, Alternate
Jon Michael Barker
Robert Birtalan
Lindsey Brock
Lane Burnett
Senator Audrey Gibson
Mark Devereaux
Andrew Fraden
Marc Hardesty
Jill D. Haskell
Raymond S. Pringle, Jr.
Marshall Adkison, Ex-Officio
Adam Hoyles, Ex-Officio*

*Maritza Sanchez & Jessica Smith, Legislative Assistants
Kealey West, 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.

Present 11 - Commissioner Robert Birtalan, Commissioner Lindsey Brock, Commissioner Raymond Pringle, Commissioner Lane Burnett, Commissioner Mark Devereaux, Commissioner Marc Hardesty, Commissioner Jon Michael Barker, Commissioner Andrew Fraden, Chair Al Ferraro, Vice Chair Randy White, and Alternate Matt Carlucci

Excused 3 - Commissioner Jill Haskell, Commissioner Audrey Gibson, and Council Member Garrett Dennis

You may attend the meeting in-person at the physical location- City Council Chambers, but CDC guidelines will be adhered to due to COVID-19. Concurrent with the expiration of Mayor Curry's Emergency Executive Proclamation 2020-005, any member of the public entering City-owned public buildings may choose to wear a mask inside the building. Council strongly encourages the use of masks for all employees and visitors, especially when social distancing at 6 feet (or more) is not possible. Council will make masks available for visitors and the public.

Meeting Convened: 9:32AM Meeting Adjourned: 11:24AM

1. Call To Order
2. Roll Call
3. ADA Waterways Status Report - Kara Tucker

4. Approval - Jacksonville Waterways Commission Minutes for Wednesday, September 15, 2021.

Hand Vote:

9-0

The minutes were approved by a vote of 9 to 0.

Mr. Birtalan, Mr. Barker, Mr. Boylan, Mr. Ferraro, Mr. Brock, Mr. Hardesty, Mr. Pringle, Mr. Burnett, and Mr. Fraden voted yes.

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

Dr. White talked about the blue green algae in the water and it being due to the warmer water temperature. Dr. Pinto said that there has not been any more manatee deaths for the year leaving the total for Jacksonville at 19 deaths and approximately 960 for Florida.

New Business

6. 2021-0668 ORD Apv, & Auth the Mayor & Corp. Secretary to Execute & Deliver, for & on behalf of the City, that Certain Sovereignty Submerged Lands Fee Waived Lease (BOT File # 160354632) btwn the City of Jax & the Board of Trustees of the Internal Improvement Trust Fund of the State of FI ("The Lease") for the Purpose of Securing Submerged Land for Construction & Operation of a Six-Slip Public Docking Facility Adjacent to the Terminus of Jackson St. for Public Mooring of Recreational Vehicles & a Water Taxi Loading & Unloading Area, for a 10 Yr Initial Term Commencing 12/13/19; Oversight of Acquisition, Execution & Recording of the Lease by the Real Estate Div., Public Works Dept, & Oversight of the Lease & Docking Facility by the Parks, Recreation & Comm. Svcs Dept. (Staffopoulos) (Introduced by CP Newby at Req of Mayor)
- 9/14/21 CO Introduced: NCSPHS, TEU, F, R, JWC
9/20/21 NCSPHS Read 2nd & Rerefer
9/20/21 TEU Read 2nd & Rerefer
9/21/21 F Read 2nd & Rerefer
9/21/21 R Read 2nd & Rerefer
9/28/21 CO PH Read 2nd and Rereferred: NCSPHS, TEU, F, R
10/4/21 NCSPHS Approve 6-0
10/4/21 TEU Approve 7-0
10/5/21 F Approve 7-0
10/5/21 R Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 –9/28/21

*For Informational Purposes Only

Contact:
Renee Hunter

Renee Hunter, Public Works, explained the legislation which approves execution of submerged land lease between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the construction of a 6-slip docking facility on the St. Johns River at the terminus of Jackson Street in Brooklyn for water taxi and recreational boater use. It designates the Real Estate Division and Parks, Recreation and Community Services Department as the City's oversight agencies for the lease acquisition and recording and for construction and use of the docking facility, respectively.

Mr. Barker, Mr. Boylan, Mr. Ferraro, Mr. Brock, Mr. Hardesty, Mr. Pringle, Mr. Burnett, and Mr. Fraden voted yes. (8 to 0)

7. 2021-0671 ORD Apv & Auth. The Mayor & Corp. Sec. to Execute & Deliver, for & on Behalf of the City, That Certain Sovereignty Submerged Lands Fee Waived Lease Renewal (BOT File # 161272789) btwn The City of Jax & the Board of Trustees of the Internal Improvement Trust Fund of the State of FL for the Purpose of Operating a 78-Slip Public Marina in Conjunction with an Upland Park & Sprots Complex for a 5 Yr Term at No Cost to the City; Providing for Oversight of Acquisition, Execution & Recording of the Lease by the Real Estate Div., Public Works Dept., Oversight of the Lease & Marina & Docking Facility by the Parks, Rec. & Community Serv. Dept. (Staffopoulos) (Introduced by CP Newby at Req of Mayor)
9/14/21 CO Introduced: NCSPHS, TEU, F, R, JWC
9/20/21 NCSPHS Read 2nd & Rerefer
9/20/21 TEU Read 2nd & Rerefer
9/21/21 F Read 2nd & Rerefer
9/21/21 R Read 2nd & Rerefer
9/28/21 CO PH Read 2nd and Rereferred: NCSPHS, TEU, F, R
10/4/21 NCSPHS Approve 5-0
10/4/21 TEU Approve 7-0
10/5/21 F Approve 7-0
10/5/21 R Approve 6-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 –9/28/21

*For Informational Purposes Only

Contact:
Renee Hunter

Renee Hunter explained legislation which authorizes execution of a 5-year renewal of the existing submerged lands lease between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Metropolitan Park Marina. The Real Estate Division is designated as the oversight agency for the execution and recording of the lease, and the Department of Parks, Recreation and Community Services will be the oversight agency for the operation of the marina.

8. 2021-0710 ORD- Approv. & Auth. the Mayor, or His Designee, & the Corp. Sec. to Execute & Deliver a Notice of Fed. Participation (The "NOFP") Btw the City of Jax, No. FL Land Trust, Inc. & the FL Fish & Wildlife Conservation Comm. (The "FWC"), & Any Other Docs. Necessary to Effectuate the Purposes of the NOFP, For the Property Known as Bogey Creek Landing (R.E. No. 159934-0050) (The "Property"), to Place a Perpetual Restrictive Covenant on the Property in Accord. With the Terms & Conditions of the NOFP & U.S. Fish & Wildlife Serv. National Coastal Wetlands Conservation Prog. Grant Notice of Award #F21AP00697-00 (The "Grant"). (Staffopoulos) (Introduced by CP Newby at Req. of Mayor)
9/28/21 CO Introduced: NCSPHS, JWC
10/4/21 NCSPHS Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 –10/12/21

Contact:
Brian Burket

Hand Vote:
9-0

Brian Burket, Parks Department, explained the legislation which authorizes the Notice of Federal Participation (Bogey Creek Expansion) by and among the City of Jacksonville, North Florida Land Trust, Inc. and the Florida Fish and Wildlife Conservation Commission.

Mr. Birtalan, Mr. Barker, Mr. Boylan, Mr. Ferraro, Mr. Brock, Mr. Hardesty, Mr. Pringle, Mr. Burnett, and Mr. Fraden voted yes. (9 to 0)

9. 2021-0716 ORD Approp. \$47,500.00 in Grant Funding from the FL Fish & Wildlife Conservation Commission. (The "FWC") For Reimb. of the City of Jax's Costs to Remove 3 Derelict Vessels in City of Jax Waterways; Providing for Oversight by the Neighborhoods Dept., Environmental Quality Div.; Req. 1 Cycle Emerg. Passage. (Staffopoulos) (Introduced by CP Newby at the Req. of Mayor) (Co-Sponsor CM Ferraro)
9/28/21 CO Introduced: NCSPHS, F, JWC
10/4/21 NCSPHS Emergency/Amend/Approve 5-0
10/5/21 F Emergency/Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 –10/12/21

Contact:
Melissa Long, EQD

* For Informational Purposes Only

The legislation was already passed through a one cycle emergency. Melissa Long, Chief of Environmental Quality, gave an update on the derelict vessel removal process.

10. 2021-0718 ORD Auth. the Mayor & Corp. Sec. to Execute a 3rd Amend. To the Contract with Jax Uni. to Renew the Contract for a 3rd Add. Yr. for the Continuing Manatee Protection Studies for FY 2021-2022, Incl. the Continuing Task for a Boater Speed Zone Compliance Study, Sub. To Approp. by City Council. (West) (Introduced by CM Ferraro)
9/28/21 CO Introduced: NCSPHS, TEU, JWC
10/4/21 NCSPHS Read 2nd & Rerefer
10/4/21 TEU Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601 –10/12/21

Contact:
Kealey West

Hand Vote:
9-0

Kealey West, Office of General Counsel, detailed the legislation which approves the Manatee Protection Study.

Mr. Birtalan, Mr. Barker, Mr. Boylan, Mr. Ferraro, Mr. Brock, Mr. Hardesty, Mr. Pringle, Mr. Burnett, and Mr. Fraden voted yes. (9 to 0)

11. 2021-0727 RESO Providing Notice to the FL Fish & Wildlife Conserv. Comm. that the Jax City Council Intends to File & Take Action on Legs. Creating Anchoring Limitation Areas on Certain Areas of the Waters of Duval Co.; Directing the Legs. Serv. Div. to Fwd. a Copy of This Reso. to the FL Fish & Wildlife Comm. (Grandin) (Introduced by CM DeFoor)
9/28/21 CO Introduced: NCSPHS, R, JWC
10/4/21 NCSPHS Read 2nd & Rerefer
10/5/21 R Read 2nd & Rerefer

Contacts:
Susan Grandin
CM Randy DeFoor

Hand Vote:
10-0

CM DeFoor explained the legislation which would signify the City Council's intent to file legislation with the Florida Fish and Wildlife Commission regarding anchoring limitation areas within the Ortega River. CM DeFoor talked about the history of this issue in the Ortega River area. Mr. Barker talked about the issues he has had experience with the waterways and anchoring. Susan Grandin, Office of General Counsel, explained the enforcement by JSO and that it takes 4 citations in order to trigger removal. Mr. Devereaux commented on the low monetary penalties. Mr. Brock said that salvage operations should be added to the list of those exempted. CM Boylan talked about the need for speeding up and simplifying the process. John Nooney said he supports the legislation.

Mr. Birtalan, Mr. Barker, Mr. Boylan, Mr. Ferraro, Mr. Brock, Mr. Hardesty, Mr. Pringle, Mr. Devereaux, Mr. Burnett, and Mr. Fraden voted yes. (10 - 0)

12. Coal Ash Situation (15 Minutes)

Contacts:
Commissioner Hardesty
Lisa Rinamin, St. John's River Keeper

Mr. Hardesty gave an overview of the coal ash situation. Mayor Ellen Glasser, Atlantic Beach, spoke to the impact this has had on the beach area with no warning of the spill. Lisa Rinaman, St. Johns Riverkeeper, said that this coal ash is banned in Puerto Rico and that it could have health impacts that are still unknown. Mr. Brock said that this falls on the federal level to take action. Mr. Pringle said there are two sides to every story and by saying coal ash should not be shipped would impact jobs. CM Ferraro deferred the discussion in order for more voices to be heard in this discussion.

13. Deep Bottom Creek
(DEFER)

Contact:
CM Boylan

Old Business

14. Update on Sandbar in St. John's River

Contacts:

Commissioner Mark Devereaux

Commissioner Marc Hardesty

Jason Harrah, ACOE

Mr. Devereaux said he will give an update at the next meeting.

15. Update on Ft. George Inlet & Huguenot Park

Contact:

Jason Harrah, ACOE

Jason Harrah, ACOE, gave an update on the ongoing studying and the problems they are facing at Ft. George Inlet as well as the alternatives that the study has produced. Mr. Brock asked what funds are appropriated. Mr. Harrah said that there is only \$1 million allocated for the study phase.

16. Update on Shad Creek

Contacts:

Jill Enz

Brian Burket

CM Ferraro said a traffic study would be needed.

17. Public Comment

John Nooney read the legislation for 2021-0650 and talked about the map for Downtown Jacksonville.

18. Adjournment

Note: Our next scheduled meeting is Wednesday, November 10, 2021.

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.

Minutes: Richard Distel, Council Research

RDistel@coj.net 904.255.5140

Posted 11.2.2021 5:00 pm