

City of Jacksonville

1st Floor - Council Chamber
117 W. Duval Street



Meeting Minutes

Wednesday, November 10, 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
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.

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: 9:33 AM

Meeting Adjourned: 12:45 PM

1. Call To Order
2. Roll Call
4. Approval - Jacksonville Waterways Commission Minutes for Wednesday, October 13, 2021.

The minutes were approved by a vote of 12 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Mr. Hardesty, Ms. Haskell, and Mr. Pringle voting yes.

Hand Vote:

12-0

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

Dr. White talked about the algae bloom and that the water temperatures have been going down from being in the 70s to now in the 60s. Dr. White also talked about substantial flooding. Dr. Pinto said that there have been 19 manatee deaths in Jacksonville this year. CM Boylan asked how many manatees are there in Florida. Dr. White said it is difficult to determine the exact amount of manatees.

New Business

6. [2021-0739](#) ORD- Adopt Small-Scale Amend To the FLUM Series of the 2030 Comp Plan at 5902 Seaboard Ave, btwn 110th St & Talton Ln (4.91± Acres)
-LDR to MDR -Evangelistic Missionary Movement, Inc. (NKA: Movimiento Misionero Evangelistico LUZ A Las Naciones Inc.).-(Appl. #L-5608-21C)
(Dist 9-Dennis)(Trout) (LUZ)
(Rezoning 2021-740)
10/12/21 CO Introduced: LUZ, JWC
10/19/21 LUZ Read 2nd & Rerefer
10/26/21 CO Read 2nd & Rereferred:LUZ
11/9/21 CO PH Addnt'l PH 11/23/21
11/23/21 CO PH Cont'd 12/14/21
LUZ PH –11/16/21, 12/7/21
Public Hearing Pursuant to Sec 163.3187, F.S. & Chapt 650, Pt 4, Ord Code –11/9/21 & 11/23/21,12/14/21

DEFERRED

7. [2021-0762-E](#) ORD- Approp \$499,821.44 Awarded by FL Dept of Environmental Protection ("FDEP") for the Const of the "McCoy's Creek Living Room Project"; Purpose of Approp; Amend the 2022-2026 5-Yr CIP Apvd by Ord 2021-505-E to Reflect FDEP Grant Funding for the Project; Providing for Oversight by the Public Works Dept. (B.T. 21-134) (Hodges) (Introduced by CP Newby at Req of Mayor) (Co-Sponsor CM Carlucci) (JWC Apv)
10/12/21 CO Introduced: NCSPHS, TEU, F, JWC
10/18/21 NCSPHS Read 2nd & Rerefer
10/18/21 TEU Read 2nd & Rerefer
10/19/21 F Read 2nd & Rerefer
10/26/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU, F
11/1/21 NCSPHS Amend/Approve 5-0
11/1/21 TEU Amend/Approve 6-0
11/2/21 F Amend/Approve 6-0
11/9/21 CO Amend/Approved 18-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-10/26/21

Nikita Reed, Public Works, explained the legislation.

The bill was approved 11 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Ms. Haskell, and Mr. Pringle voted yes.

Hand Vote:

11-0

8. [2021-0782-E](#) ORD Approp \$444,964.86 Awarded by Federal Emergency Management Agency (“FEMA”), Funded by the Hazard Mitigation Grant Prog to Improve Drainage Along the McCoy’s Creek Channel; Purpose of Approp; Amend the 2022-2026 5-Yr Capital Improvemnt Plan Apvd by Ord 2020-505-E to Reflect FEMA Grant Funding for the Project; Providing for Oversight by the Public Works Dept. (B.T. 21-133) (Hodges) (Introduced by CP Newby at Req of Mayor) (JWC Apv) (Co-Sponsor CM Carlucci)
10/26/21 CO Introduced: NCSPHS, TEU, F, JWC
11/01/21 NCSPHS Read 2nd & Rerefer
11/01/21 TEU Read 2nd & Rerefer
11/02/21 F Read 2nd & Rerefer
11/9/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU, F
11/15/21 NCSPHS Amend/Approve 5-0
11/15/21 TEU Amend/Approve 6-0
11/16/21 F Amend/Approve 5-0;Reconsider Amend/Approve 6-0
11/23/21 CO Amend/Approved 16-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/9/21

Nikita Reed, Public Works, explained the legislation.

The bill was approved with a vote of 12 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Mr. Hardesty, Ms. Haskell, and Mr. Pringle voting yes.

Hand Vote:

12-0

9. [2021-0786-E](#) ORD Apv, & Auth the Mayor, or His Designee, & the Corp Sec to Execute & Deliver, For & On Behalf of the City, That Certain Sovereignty Submerged Lands Fee Waived Lease Renewal (BOT File #160224032) btwn the COJ & the Board of Trustees of the Internal Improvement Trust Fund of the St of FL (The "Lease") for the Purpose of Operating a Public Boat Ramp & 2 Accessory Docks in Conjunction with an Upland Park at Goodby's Creek 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 & Boat Ramp Docking Facility by the Parks, Rec & Community Serv Dept. (Staffopoulos) (Introduced by CP Newby at Req of Mayor) (JWC Apv)
10/26/21 CO Introduced: NCSPHS, F, R, JWC
11/1/21 NCSPHS Read 2nd & Rerefer
11/2/21 F Read 2nd & Rerefer
11/2/21 R Read 2nd & Rerefer
11/9/21 CO PH Read 2nd & Rereferred:NCSPHS, F, R
11/15/21 NCSPHS Approve 6-0
11/16/21 F Approve 6-0
11/16/21 R Approve 6-0
11/23/21 CO Approved 16-0
Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/9/21

Renee Hunter, Public Works, explained the legislation.

The bill was approved with a vote of 12 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Mr. Hardesty, Ms. Haskell, and Mr. Pringle voting yes.

Hand Vote:
12-0

10. [2021-0796-E](#) ORD Making Certain Findings & Auth the Mayor, or His Designee, to Execute: (1) A Redev Agreemt (“Redevelopment Agreement”) Among the COJ (“City”), Downtown Investment Authority (DIA), & Fuqua Acquisitions II, LLC (“Developer”), Which Redev Agreemt Provides for the Design & Construction of a 2 Phase Project on That Certain Parcel of Real Property Located at 1 Riverside Ave & Known Generally As the Times-Union Property Located on the Northbank of the St. Johns River Within the Downtown W Northbank Downtown Community Redev Area; Phase 1 of the Project is Comprised of a Min 39,256 Sq Ft of Retail Space, Inclusive of a Major Branded Grocery Store of not less than 22,000 Sq Ft, & a Min of 265 Multifamily Residential Units, a Full-Svc Restaurant with not less than 2,500 Sq Ft of Enclosed Space & a Structured Parking Facility with not less than 400 Parking spaces (The “Phase I Improvements”); Phase 2 of the Project will included a Min of 13, 500 Sq Ft of Retail Space, Inclusive of 2 Restaurants, & a Min of 113 Multifamily Resident Units, & a Min of 180 Addn’l Parking Spaces (The “Phase II Improvements” & Collectively With the Phase I Improvements”, the “Project”); (2) A Demoliation Agreemt Btwn the City & Developer Auth the Developer to Undertake the Demo of Certain Improvemts Located on Approx 4.95 Acre Parcel Within the Times-Union Prop (“City Parcel”) to be Purchased by the City; Auth a Purchase & Sale Agreemt Btwn the City & Developer for the Purchase by the City of the City Parcel for the Amnt of \$6,040,680, with Supplemental Purchase Price of \$1,719,320 if Certain Conditions re: the City Parcel are Satisfied by the Developer; & (3) Easements & Related Docs as Described in the Redev Agreemt; Auth a Repurchase Right in Favor of the Developer to Repurchase the City Parcel; Auth a Put Option in Favor of the Developer for the City to Purchase the Phase II Mixed-Use Component Parcel, an Approx 1.58 Acre Parcel of Real Prop at the Rate of \$60 Per Sq Ft; Auth a 75%, 22-Yr Phase I Retail Component Recaptured Enhanced Value (REV) Grant in the Max Amnt Not to Exceed \$2,757,711 in Connection with the Construction of the Retail Component of the Phase I Improvemt; Auth a 75%, 22-Yr Phase I Residential Component REV Grant in the Max Amnt Not to Exceed \$17,347,914 in Connection with the Construction of the Residential Component of the Phase I Improvemts; Auth a 75%, 20-Yr Phase II Mixed Use REV Grant in the Max Amnt Not to Exceed \$8,313,544 in Connection with the Construction of the Phase II Improvmts; Auth a \$750,000 Forgivable Loan Payable Upon Substantial Completion of the Restaurant Improvemts as Defined in the Redevlopmt Agreemt, to be Forgiven at the Rate of 10% Annually From the Date of Disbursmt of the Loan, Provided the Restaurant Remains in Operation Consistent with the Terms as Set Forth in the Redev Agreemt; Waiving Provisions of Chpt 126 (Procurement Code), Ord Code, With Respect to the Demolition Project; Waiving Certain Provisions of Chpt 656 (Zoning Code), Part 3 (Scheduled of District Regs), Subpt H (Downtown Overlay Zone & Downtown District Use & For Regs) Sec 626.361.8.A (Deviations), Ord Code, to Waive the Subsec 3 & 4

Requirements That an Applicant May Not Be Eligible for Economic Incentives When Also Obtaining a Deviation From the River View & Access Corridors Req of Subsec 656.361.6.2.H.2, & the Subsec 5 Requirement of Subsec 656.361.8.A That a 2/3 Majority Vote is Req'd to Approve the Req'd Deviation; Granting Deviation Appl #DDRB 2021-014, Located at 1 Riverside Ave (A Portion of R.E. No. 0888967 0000 As Described Herein, Owned by 1 Riverside Prop LLC, to Increase the Max Distance Allowed btwn Riverfront View & Access Corridors From 250' to 352', in Zoning Dist CCBD, as Defined & Classified Under the Zoning Code; Designating the DIA as Contract Monitor for the Redev Agreement; Providing for City Oversight of the Project by the Dept of Public Works & DIA; Auth the Exec of All Docs Relating to the Above Agreements & Transactions, & Auth Technical Changes to the Docs; Waiver of that Portion of the Public Investment Policy Adopt by Ord 2016-382-E, as Amended, to Auth the REV Grants & Restaurant Completion Forgivable Loan, Which Are Not Expressly Auth by the Public Invest Policy. (Dist 7 Gaffney) (Sawyer) (Introduced by CP Newby at Req of DIA) (Co-Sponsor CM Carlucci) (JWC Apv)

10/26/21 CO Introduced: NCSPHS, TEU, F, R, JWC

11/1/21 NCSPHS Read 2nd & Rerefer

11/1/21 TEU Read 2nd & Rerefer

11/2/21 F Read 2nd & Rerefer

11/2/21 R Read 2nd & Rerefer

11/9/21 CO PH Read 2nd & Rereferred:NCSPHS, TEU, F, R

11/15/21 NCSPHS Amend/Approve 6-0

11/15/21 TEU Amend/Approve 6-0

11/16/21 F Amend/Approve 6-0

11/16/21 R Amend/Approve 6-0

11/23/21 CO Amend(2x)(Flr)/Approved 15-0

Public Hearing Pursuant to Chapt 166, F.S. & C.R. 3.601-11/9/21

Lori Boyer, DIA, went over the redevelopment with a Powerpoint that covered the redevelopment agreement for One Riverside Ave. Ms. Boyer went over the phases of the project, the improvements to the docks in the area, the moving of the creek east, and the land acquisition for creek improvements. The legislation facilitates the completion of McCoys Creek project which includes daylighting of the creek, the acquisition of the new park and the submerged land, and adds incentives for adjacent private development including a new waterfront restaurant. The developer will own the submerged land lease.

Mr. Devereaux asked about parking spaces. Ms. Boyer said they are working to create as much access as possible for those coming downtown. Steve Diebenow, representing the developer, explained the ownership in One Riverside Ave.

The bill was approved with a vote of 12 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Mr. Hardesty, Ms. Haskell, and Mr. Pringle voting yes.

Hand Vote:

12-0

11. FIND Committee Recommendations

Contact:

Brian Burket

Brian Burket, Parks Department, went over the staff's recommendations. Adam Hoyles talked about Stinson Park.

The FIND Committee Recommendations were approved with a vote of 12 to 0 with CM Ferraro, CM Boylan, Mr. Barker, Mr. Birtalan, Mr. Brock, Senator Gibson, Mr. Devereaux, Mr. Fraden, Mr. Hardesty, Ms. Haskell, and Mr. Pringle voting yes.

Hand Vote:

12-0

12. Deep Bottom Creek

Contact:

CM Boylan

Speaker:

Alan Seabrook

13. Seasonal Updates

Contact: Brian Burket

14. Boat Parade

Contact:

Brian Burket

Brian Burket, Parks Department, went over upcoming events and discussed the Jacksonville Light Boat Parade.

Old Business

15. Coal Ash Situation (45 Minutes)

Contacts:

Commissioner Hardesty

Commissioner Devereaux

Lisa Rinamin, St. John's River Keeper

William Harris - Keystone Terminal

Nick Primrose, JaxPort, explained that they do not transport coal ash and can only control the docks in Jacksonville.

Mr. Brock talked about the federal regulations of coal ash. Mr. Hardesty gave a presentation which covered the concerns of materials in coal ash and its impact on the environment. Bill Harris, Keystone Terminals, talked about the facility he runs that does take in coal ash. Mr. Harris went over the process and said approximately 25% of their revenue comes from coal ash. Mr. Devereaux asked Mr. Harris to look into not taking in coal ash. Mr. Barker said that the focus needs to be on preparedness. Mr. Brock said that coal ash isn't toxic and explained the other uses it has. Lisa Rinaman, St. Johns Riverkeeper, went over a fact sheet about coal ash. There was an emphasis that the Florida Department of Environmental Protection is a part of this discussion. The Commission decided to postpone writing a resolution until next month.

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

Contacts:

Commissioner Mark Devereaux

Commissioner Marc Hardesty

Jason Harrah, ACOE

Mr. Devereaux and Mr Hardesty said they would lead a sandbar committee with Mr. Hardesty as the Chair.

17. Update on Shad Creek

Contacts:

Brian Burket

Jill Enz

Jill Enz, Chief of Natural and Marine Resources, explained that they are currently in the traffic study process.

18. Public Comment

John Nooney talked about FIND projects he think should be included in those that are funded.

19. Adjournment

Note: Our next scheduled meeting is Wednesday, December 15, 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.

Rollcall

Present 12 - Commissioner Robert Birtalan, Commissioner Lindsey Brock, Commissioner Jill Haskell, Commissioner Raymond Pringle, Commissioner Lane Burnett, Commissioner Mark Devereaux, Commissioner Marc Hardesty, Commissioner Jon Michael Barker, Commissioner Andrew Fraden, Commissioner Audrey Gibson , Chair Al Ferraro, Vice Chair Michael Boylan

Minutes: Richard Distel, Council Research
RDistel@coj.net 904.255.5140
Posted 12.3.2021 5:00 pm