

City of Jacksonville

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



Meeting Minutes

Wednesday, February 15, 2023

9:00 AM

Council Chambers 1st Floor, City Hall

Jacksonville Waterways Commission

CM Nick Howland, Chair

CM Randy DeFoor, Vice Chair

CM LeAnna Cumber

CM Tyrona Clark-Murray, Alternate

Jon Michael Barker

Robert Birtalan

Lane Burnett

Representative Kiyon Michael

Mark Devereaux

Andrew Fraden

Marc Hardesty

Richard Hartley

Richard J. Redick - Excused Absence

General Public Rep. (Vacant)

Marshall Adkison, Ex-Officio

Adam Hoyles, Ex-Officio

Barbara Ireland Hobson, Legislative Assistant

Carla Lopera, Asst. General Counsel

Dr. Gerard Pinto, Jacksonville University

Richard Distel, Research Assistant

Jim Suber, Waterways Coordinator

Meeting Convened: 9:01 A.M. Meeting Adjourned: 10:39 A.M.

1. Call To Order

2. Roll Call

3. St. Johns River Status Report on Water Quality & Manatees

Dr. Gerry Pinto with the Jacksonville University Marine Science Research Institute (MSRI) gave his monthly report on temperature, salinity and volume flow in the St. Johns River at various monitoring stations. He reported that there have been 2 recorded manatee deaths this year, both due to cold stress. He noted the upcoming Rock the Docks fundraising event on the JU riverfront which raises funds for the MSRI, Ocearch shark research, and the JU rowing and sailing teams.

Marshall Adkison asked about the current dock construction in Mayport that will be the site of the permanent home port for the Ocearch research vessel. Dr. Pinto said there is construction of new docks in Mayport, but not for the Ocearch vessel since the Florida Legislature's appropriation for that project was vetoed by the governor. Another bill for that funding will be filed in the upcoming session. Captain Suber said the docks currently under construction will serve the shrimp boat fleet and will accommodate some recreational vessels. Should the funding be obtained for the Ocearch dock, the new dock under construction will be extended to accommodate that vessel.

4. Approval of Minutes

The minutes of the January 11, 2023 Waterways Commission meeting were approved unanimously without amendment.

5. FIND Board Presentation

Carl Blow, the St. Johns County representative on the Florida Inland Navigation District governing board, gave an overview of FIND 's mission and its grant program for local governments. The special taxing district was created in 1927 to work in partnership with county governments to accomplish the construction of the Atlantic Intracoastal Waterway. Now the district makes grants from its property tax millage revenues to counties to promote public access to waterways. Jacksonville is unlike the other 11 participating counties in that the St. Johns River, rather than the Intracoastal Waterway, is the largest water body and primary means of public access to the water. The deadline for submitting project funding proposals to the FIND board is March 27th, and Mr. Blow complimented Jacksonville on always submitting good proposals for use of FIND funds.

In response to a question about dredging, Mr. Blow said that providing dredge spoil sites is one of the functions that FIND serves. Mr. Adkison asked about FIND involvement in Nassau Sound where siltation is a serious problem. Mr. Blow said the sound is a high maintenance dredge area and FIND has recently gotten permits to do a larger dredge project where the Intracoastal Waterway meets the Nassau Sound, but does not deal with the mouth of the Ft. George River where the sound empties into the Atlantic Ocean. Mr. Blow said the new project will dredge outside of the boundaries of the main channel so as to prevent the silt from infilling so quickly. The sandy spoil at that site is pumped onto nearby beaches.

Commissioner Devereaux asked Mr. Blow if he had seen instances of dredge spoils escaping from spoil sites through the water outlet pipe. Mr. Blow said he had not since spoil sites are engineered to prevent that occurrence, but fine particles could escape with the discharge water and cause turbidity problems. He offered to refer the Waterways Commission to FIND's hydrologic engineer to discuss particular issues.

6. New Business

2023-0046 ORD Auth the Mayor to Apply to the FL Inland Navigation Dist (FIND) for 2023 Grants to Undertake Specified Waterways-Related Projs; Auth the Mayor, or His Designee, & the Corp Sec to Execute & Deliver All Grant Agrmts btwn the City & FIND, as well as All Docs Related to Such Grants; Acknowledging Willingness to Meet Funding Requirements; Prov for City Oversight by Parks, Rec & Community Svcs (Staffopoulos) (Introduced by CP at Req of Mayor) (JWC Apv)
1/24/23 CO Introduced: NCSPHS, F, JWC
2/6/23 NCSPHS Read 2nd & Rerefer
2/7/23 F Read 2nd & Rerefer
2/14/23 CO PH Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 2/14/23

Brian Burkett of the Department of Parks, Recreation and Community Services said the project list being presented for consideration today is the same list as presented at the last meeting, with 2 design projects and 2 construction projects. Council Member DeFoor requested that a project for Yacht Basin Park be considered for funding on next year's list. Mr. Burkett explained the project ranking and approval process which begins with a list of projects prepared by the department that is reviewed, ranked and recommended by a FIND subcommittee of the Waterways Commission, then is approved by the full Commission, then sent to City Council for final approval for submission to FIND. Adam Hoyles asked about the potential for recreational development on Goat Island. Mr. Burkett said the island is not City-owned, so would involve dealing with the Army Corps of Engineers or the State of Florida.

PUBLIC PARTICIPATION

John Nooney praised Mr. Blow's work on the FIND board. He advocated for public access to the river through the Shipyards West property downtown. He urged that the Pottsburg Creek project, which is a disaster, be dropped and the funding shifted to the Shipyards West/Catherine Street site.

Council Member DeFoor asked about public input into the FIND Subcommittee of the Waterways Commission. Adam Hoyles said they held a pubic hearing and only a couple of people outside of City staff made comments.

The Commission unanimously recommended approval of 2023-46.

2023-0047 ORD Apv & Auth the Mayor, or His Designee, & the Corp Sec to Execute & Deliver that Certain Agrmt btwn COJ & Jacksonville Offshore Sports Fishing Club Inc. for Use of the William “Bill” Gulliford, Jr. Community Center, Located at David Wayne Pack Park, 4875 Ocean St, Jax, FL 32233 for a 3 Yr Term; Prov for Oversight by Parks, Rec & Community Svcs (Staffopoulos) (Introduced by CP at Req of Mayor) (Co-Sponsors CMs Clark-Murray & Diamond) (JWC Apv)
1/24/23 CO Introduced: NCSPHS, F, JWC
2/6/23 NCSPHS Read 2nd & Rerefer
2/7/23 F Read 2nd & Rerefer
2/14/23 CO PH Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 2/14/23

Brian Burkett gave a short history of the Sport Fishing Club's provision of the mobile home that previously served as the Mayport Community Center and the replacement of that trailer with a newly constructed City building with more space and more parking. This bill would allow the Fishing Club to use the new facility for its activities.

The Commission unanimously recommended approval of 2023-47.

2023-0054 ORD Auth the Mayor & Corp Secretary to Execute a 4th Amendment to the Contract With JU to Renew the Contract for a 4th Add'l Yr for the Continuing Manatee Protection Studies for FY 22-23, Subj to Appropriation by City Council; Prov for Oversight by the Planning & Dev Dept (Grandin) (Introduced by CM Howland) (Co-Sponsors CMs Clark-Murray & Morgan) (JWC Apv)
1/24/23 CO Introduced: NCSPHS, F, JWC
2/6/23 NCSPHS Read 2nd & Rerefer
2/7/23 F Read 2nd & Rerefer
2/14/23 CO PH Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601- 2/14/23

Eric Hinton of the Planning Department described several revisions to the agreement with Jacksonville University for the latest extension of the contract.

PUBLIC PARTICIPATION

John Nooney said he supports the contract extension. He noted that there has been a spike in manatee deaths due to habitat destruction. There is a need for more public education and outreach.

The Commission unanimously recommended approval of 2023-54

7. Old Business

Artificial Reef Subcommittee: Chairman Howland noted that Commissioner Jill Haskell has resigned from the Waterways Commission so a new Chair for this subcommittee will be needed.

Shoaling Committee: No report. Dr. Pinto said that Jacksonville University has met with several consultants and have worked out the parameters of a project to investigate the shoaling issue discussed at the last meeting. JU will be bringing a proposal to the Waterways Commission in the next couple of months.

Ortega River Signage: Brian Burkett reported that all signage permit applications have been filed; the Florida Fish and Wildlife Commission has approved their permit and the remainder (Florida Department of Environmental Protection, US Army Corps of Engineers, Coast Guard) are in process. They are also dealing with CSX and FEC railroads regarding posting signage on their bridges. The signs should be ready for installation in the next few months.

Bridgeport Barge Grounding: Commissioner Birtalan said that the Waterways Commission does not have any role in whether the coal ash carried by the barge is or is not deemed to be hazardous waste. The Coast Guard incident report found that the grounding was caused by a crew unfamiliar with the area and the south jetty, which can be nearly underwater at very high tides. The Coast Guard says that the channel and jetties are properly marked so competent mariners should be able to safely navigate the area. Mr. Birtalan said he has talked to the Army Corps of Engineers and will be meeting with the Coast Guard and the St. Johns Bar Pilot Association to find out what, if anything, could be done to improve safety and how to finance it.

Arlington River Speed Zone: Chairman Howland said the speed zone legislation had been withdrawn by the City Council after much discussion. An alternate idea is the installation of non-regulatory informational signage such as "Caution - Rowers Ahead". Permission to post that signage would still need to be obtained from the appropriate regulatory agencies. The Commission engaged in lengthy discussion about the relative benefits of regulatory versus informational signage. Davis Bales of the First Coast Rowing Club discussed the dangers of high speed boating to rowers, kayakers and other low-speed users of the waterway and noted the danger to the workers doing construction work on the Cesery Boulevard bridge. There was discussion of concentrating the speed zone on just the Cesery Boulevard bridge to avoid the problem with the "wedge" between that bridge and the University Boulevard bridge because of their distance apart. There was discussion of the FWC's program for speed restrictions to deal with constrained/dangerous bridges. Commissioner Devereaux noted the passage of a new state law (Sec. 327.46, Florida Statutes) that allows posting of signage for any safety-related reason.

Motion: form a subcommittee to meet with the Office of General Counsel to make a recommendation to the Waterways Commission on a Cesery Boulevard bridge speed zone - approved unanimously.

The subcommittee will consist of Commissioners Hartley (Chair), Devereaux, Hoyles and Fraden.

8. Public Comment

Azi Yavari said that non-regulatory signs are a good start but not as good as an enforceable speed zone. There is now an accident on record with FWC for the Cesery bridge area. Please protect everyone's safety.

Davis Bales said the accident referenced by the previous speaker was a jet ski hitting a bridge piling. The "wedge" issue between the Cesery and University Boulevard bridges is a problem. His rowing club's dock is in a recessed area and not visible enough for signage there to be helpful, so more visible signage near the main channel is needed.

John Nooney noted Ordinance 2023-33 which will create a new Grants and Contract Compliance Division headed by Dr. Saralyn Grass that was passed by City Council last night. The City needs more partnerships to open up public access to the waterways.

9. Please Note: The March 15, 2023, Jacksonville Waterways Commission Meeting has been rescheduled to March 22, 2023, at 9:00 a.m. - 11:00 a.m.**10. 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.

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