

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes

Thursday, December 14, 2023

1:00 PM

Council Chamber
1st Floor, City Hall

Jacksonville Waterways Commission

CM Jimmy Peluso, Chair

CM Mike Gay, Vice Chair

CM Tyrona Clark-Murray - Excused Absence

CM Ken Amaro, Alternate

Jon Michael Barker

Robert Birtalan

Lane Burnett

Representative Kiyon Michael - Excused Absence

Mark Devereaux

Andrew Fraden

Marc Hardesty, Late Arrival 1:09

Richard Hartley

Richard J. Redick

Jill Haskell - General Public Rep.

Jack Meeks, Ex-Officio

Adam Hoyles, Ex-Officio

Rebecca Bolton & Vanessa Galan, Legislative Assistants

Rita Mairs, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Eamon Webb, Research Assistant

Jim Suber, Waterways Coordinator

Meeting Convened: 1:00pm **Meeting Adjourned: 1:57pm**

1. Call To Order

2. Rollcall

Present 13 - Commissioner Jon Michael Barker, Commissioner Robert Birtalan, Ex-Officio Marshall Adkison, Ex-Officio Adam Hoyles, Commissioner Andrew Fraden, Commissioner Richard Hartley, Commissioner Richard Redick, Commissioner Mark Devereaux, Commissioner Lane Burnett, Commissioner Marc Hardesty, Commissioner Jill Haskell, Chair Jimmy Peluso, and Vice Chair Mike Gay

Excused 2 - Commissioner Tyrona Clark-Murray, and Commissioner Kiyon Michael

3. Pledge of Allegiance

4. Approval of Minutes

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

Dr. Gerry Pinto reported that the recent increase in rainfall had cooled down temperatures, which posed a problem for manatees in the area. Five manatees were currently being held at the zoo, with three of them being recently saved. There had been seven recent manatee deaths, with the latest being most-likely human-related, as it showed signs of being injured by the lower temperatures externally but not internally.

Dr. Pinto reported on salinity levels at various points within the St Johns River system. He reported that water levels were currently about 1.5 feet above the normal level and that the upcoming expected rain could raise them further. He reported that there were no new reported algae blooms, although that did mean there was zero incidence of algae in the river system.

CM Peluso asked for clarification as to the protection status of manatees, and Dr. Pinto explained that the state Fish & Wildlife Conservation department had de-listed them from endangered to threatened but was re-evaluating that change based on a recent starvation event in the Indian River Lagoon.

Contact:

Dr. Gerald Pinto, JU

6. Public Comment

John Nooney spoke to 2023-0868, stating that he supported the bill but that entering into 30-year agreements to give private parties exclusive access to publicly-owned land made him nervous when the priority should be to maximize public access to the waterways.

7. New Business

[2023-0821](#) ORD Transmitting to the State of FL's Various Agencies for Review, a Proposed

Large-Scale Revision to the FLUM Series of the 2045 Comp Plan, at 0 Pecan Park Rd & 0 Arnold Rd, btwn Arnold Rd & JIA - (229.01± Acres) - AGR & PBF to LI - Subema, LLC (R.E. # 019583-0000 & 019606-0000 (Portion)) (Appl # L-5872-23A) (Dist. 8-Gaffney, Jr.) (Parola) (LUZ)

11/28/23 CO Introduced: LUZ, JWC

12/5/23 LUZ Read 2nd & Rerefer

12/12/23 CO Read 2nd & Rerefer

LUZ PH - 1/17/24

Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 1/9/24 & 1/23/24

2023-0824

ORD Adopting a Small-Scale Amendmnt to the FLUM 2045 Comp Plan at 8781 US 301 Hwy S, btwn Loest Rd & Wellhausen Rd - (13.36± Acres) - CGC to LI - Ocala Herlong LLC (R.E. # 001192-0010) (Appl # L-5883-23C) (Dist. 12-White) (Fogarty) (LUZ) (JWC Apv)

(Rezoning 2023-825)

11/28/23 CO Introduced: LUZ, JWC

12/5/23 LUZ Read 2nd & Rerefer

12/12/23 CO Read 2nd & Rerefer

LUZ PH - 1/17/24

Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 1/9/24 & 1/23/24

Ed Lukacovic, Planning and Development Division, gave a presentation on the property affected by this zoning change. This ordinance would change a property on the southwest of Jacksonville in District 12 from Community General Commercial to Light Industrial. Mr. Lukacovic explained that this bill was going before the JWC because a creek runs through the corner of the property. He explained that there were no wetlands on the property that would affect the greater water table.

CM Gay noted that there was a pond at the south end of the property, and Mr. Lukacovic stated that this pond had no connection to the creek and was not technically a wetland.

Commissioner Fraden asked whether the developer or City had plans to remediate potential increases in stormwater run-off caused by industrial activity, and Mr. Lukacovic answered that there were no such current plans. Commissioner Fraden asked whether the City tests water quality at affected properties before and after zoning changes, and Mr. Lukacovic answered that while water quality is frequently test, it is difficult to pinpoint specific causes for any change in water quality.

Commissioner Barker noted that this property had at one point been a racetrack. Patrick Krechoswki explained that the property had been the "Jacksonville International Raceway." He noted that this light industrial use was consistent with the surrounding area and explained that the owner would treat stormwater run-off caused by this industrial activity.

The bill was unanimously approved by the commission.

2023-0832

ORD Auth the Mayor & Corp Sec to Execute a Contract with JU for the Continuing Manatee Protection Studies for FY 23-24, with Up to 4 Annual Renewals, Subj to Approp by City Council; Invoking Sec 126.107 (g), Ord Code,

to Waive Competitive Solicitation & Bidding for Said Contract (Wilson)
(Introduced by CM Peluso) (JWC Apv)
11/28/23 CO Introduced: R, F, JWC
12/4/23 R Read 2nd & Rerefer
12/5/23 F Read 2nd & Rerefer
12/12/23 PH Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601- 12/12/23

Eric Hinton, Planning & Development Division, explained that this bill authorized a contract between JU and the City to continue its manatee protection studies for the FY23-24 year, with possible renewals for the next four years. CM Peluso asked the commission to support this bill.

The bill was unanimously approved by the commission.

[2023-0868](#) ORD Apv & Auth the Mayor, or her Desig, & the Corp Sec to Execute & Deliver, for & on Behalf of the City, That Certain Revocable Permit & Hold Harmless Agrmt Btwn the City, JU, & OCEARCH for the Use of a City Owned Dock Facility in the Mayport Community on Submerged Lands Leased Pursuant to the Sovereignty Submerged Lands Lease (BOT File # 160359172) Auth by Ord 2022-215-E, for the Docking of Vessels Used for Research & Educational Purposes, With an Initial Term of 30 Yrs, With 4 5-Yr Renewal Options, With No Usage Fee; Prov Further Authorizations; Prov for Oversight by Parks, Recreation & Community Svcs Dept (Dillard) (Req of Mayor) (Co-Sponsors CMs Amaro & Clark-Murray) (JWC Apv)
12/12/23 CO Introduced: NCSPHS, F, TEU, JWC
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 1/9/24

CM Peluso announced that 2023-0868 would be taken up at the beginning of the agenda.

Brian Burket, Waterfront Project Manager, explained that this bill would establish an agreement between the City, Jacksonville University, and OCEARCH, a global non-profit organization conducting shark research, to authorize JU and OCEARCH to use a City-owned dock at Mayport for the docking of the OCEARCH research vessel. He stated that the construction of the dock is nearly complete and that this bill would formalize a 30-year lease for JU and OCEARCH's use of the dock. Dr. Quinton White of JU thanked the commission for its consideration of this bill and stated that this agreement would be beneficial to Mayport.

Commissioner Devereaux asked for clarification as to who was responsible for maintaining the dock throughout this 30-year agreement, and Mr. Burket answered that the City would be responsible for maintenance.

The commission orally approved the bill.

8. Old Business

a. St. Johns River Shoaling Task Force Update

Contact:
CM Gay

CM Gay gave an update on the St. Johns River Shoaling Task Force. He stated that dredging had begun in the area and that he had reached out to representatives in both the state legislature and in Congress, hoping to communicate to them that this is a regional problem and not simply a City problem. He explained that the City needs an active funding source to solve this problem and that various stakeholders from the region need to be involved in order to achieve this goal.

CM Peluso asked whether CM Gay had met with the Army Corps of Engineers, and CM Gay stated that he preferred to meet with state and federal representatives first.

Commissioner Birtalan asked whether it would be helpful if someone who lived near the dredging took a water sample to test for sediment, and Dr. Pinto responded that it would be difficult to use such information scientifically.

Commissioner Devereaux noted that the City expects two inches of rainfall this weekend and observed that this could be an opportunity to videotape how water flows from the site. He offered to enter this video into the record at the next meeting. CM Peluso clarified with Rita Mairs, Office of the General Counsel, that this would not be an issue. Commissioner Hardesty stated that he had previously distributed similar evidence via email, and CM Gay suggested sending such evidence to the Office of the General Counsel's representative to avoid any potential Sunshine issues. Jim Suber, Waterways Coordinator, noted that Commissioner Devereaux's offer to videotape the flow of water under the bridge would be useful.

Commissioner Haskell stated that she also had evidence and noted that it might be useful to put together a collage of evidence to show a timeline of how the dredging has affected the area. CM Gay stated that a timeline would be a useful exhibit when meeting with state and federal representatives, and he suggested to the Office of the General Counsel's Waterways representative. CM Peluso noted that the shoaling taskforce is open, and commissioners may attend these meetings to give additional input regarding how to proceed in solving this issue.

Ms. Mairs noted that Shannon MacGillis would be taking over for the Office of the General Counsel on the JWC in the near future and would function as this point of contact.

b. River Accord Task Force Update

CM Peluso expressed that he was pleased with the attendance at the November 22 River Accord Task Force meeting. He noted that the next meeting will take place on January 19 at 10:00 AM in the Lynwood Roberts room. He noted that, with a new Basin Management Action Plan term about to begin, it is a good time to re-start the River Accord to ensure that Jacksonville's portion of the St. Johns River is as clean as possible.

Contact:
CM Peluso

Public Comment:

John Nooney thanked all who supported 2023-0819 and stated that he was looking for a sponsor to introduce legislation for a public park on Pottsburg Creek.

9. 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.

Minutes:

Eamon Webb, EWebb @coj.net
(904) 255-5140
Posted: 12/15/2023, 12:00 PM