

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes

Thursday, March 14, 2024

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

CM Ken Amaro, Alternate

Jon Michael Barker

Robert Birtalan

Lane Burnett - Excused

Representative Kiyon Michael - Excused

Mark Devereaux - Excused

Andrew Fraden

Marc Hardesty - Excused

Richard Hartley

Richard J. Redick

Jill Haskell - General Public Rep.

Jack Meeks, Ex-Officio

Adam Hoyles, Ex-Officio

Rebecca Bolton & Vanessa Galan, Legislative Assistants

Shannon MacGillis, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Eamon Webb, Research Assistant

Jim Suber, Waterways Coordinator

Meeting Convened: 1:00 PM**Meeting Adjourned 2:06 PM****1. Call To Order****2. Roll Call**

Present 11 - Chair Jimmy Peluso, Vice Chair Mike Gay, Commissioner Tyrone Clark-Murray, Commissioner Jon Michael Barker, Commissioner Robert Birtalan, Commissioner Andrew Fraden, Commissioner Richard Hartley, Commissioner Jill Haskell, Commissioner Richard Redick, Ex-Officio Jack Meeks, and Ex-Officio Adam Hoyles

Excused 4 - Commissioner Lane Burnett, Commissioner Rep. Kiyon Michael, Commissioner Marc Hardesty, and Commissioner Mark Devereaux

3. Pledge of Allegiance**4. Approval of Minutes****5. Presentation by Teresa Eichner on AV system updates**

Teresa Eichner gave a presentation on how the buttons that allowed Commissioners to speak connected with the camera system. She requested that Commissioners not press the microphone button until they are ready to speak so that the camera could focus on the Commissioner currently speaking.

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

Contact:

Dr. Gerard Pinto, JU

There was no St. Johns River Quality Report at this meeting.

7. Public Comment

John Nooney stated that he needed a sponsor for his Pottsburg Creek Public Park idea. He stated that this park was low-hanging fruit. He also lamented the lack of public participation in the legislative process.

8. New Business

[2024-0207](#) ORD Approp \$500,000.00, Including \$250,000.00 in Grant Funds Awarded by the FL Dept of Environmental Protection, Office of Resilience & Coastal Protection, & \$250,000.00 from the City Resiliency Infrastructure Improvements Proj Fund for the City Match, for the Huguenot Memorial Park - Shoreline Enhancement Proj; Amend the 24-28 5-Yr CIP Appvd by Ord 2023-505-E to Reflect This Approp of Funds; Prov for Oversight by the Parks, Recreation & Community Svcs Dept (B.T. 24-075) (Dillard) (Req of Mayor) (Co-Sponsor CM Clark-Murray) (JWC Apv)

3/12/24 CO Introduced: NCSPHS, F, JWC
3/18/24 NCSPHS Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 3/26/24

Jill Enz, Chief of Natural and Marine Resources, explained that this appropriation included grant funds from Florida Department of Environmental Protection and a City match to conduct a study on how to remedy shoreline loss at Huguenot Memorial Park. She noted that the shoreline had lost 40 feet as a result of erosion and that the main roadway in the area was in danger.

CM Clark-Murray asked whether the full appropriation amount would be used for the study, and Ms. Enz responded that it likely would. CM Clark-Murray asked about the expected start date for the study, and Ms. Enz stated that the study would need to go out to bid so it would likely not start up for three to six months after the bill's passage.

Commissioner Birtalan asked who would be conducting the study, and Ms. Enz stated that the project would go through the RFP process but that the contractor would need certain engineering expertise. CM Gay distinguished this study from the proposed JU study regarding the shoaling issue, as this study would require a competitive bid process and the JU study would be a direct contract. He stated that there are multiple contractors who could perform the work required by this study.

Commissioner Fraden asked for clarification regarding the purpose of the study; Ms. Enz stated that the study would seek to discover the cause of the shoreline loss and remedies for this problem.

CM Clark-Murray noted that this park is popular in the spring and summer, so this study was worth the time and money. She requested to be added as a co-sponsor.

Commissioner Hartley asked if it was possible whether the JWC could see the study after its completion, and Ms. Enz stated that she could present it to the JWC upon its completion.

[2024-0209](#) ORD Approp \$18,429,138.41, Including (1) \$11,554,138.41 from the Projs Titled McCoy's Creek Improvements/Pipe Removal, Kernan Blvd Widen - 4 Lanes DVD - JTB & McCormick, Hammond Blvd Wall, University Blvd & Jack Rd, San Jose Blvd - New, St. Johns Bluff Rd - New Sidewalk ES, St. Johns Bluff Rd - New Sidewalk WS, Biscayne Blvd Sidewalk - New & Emerald Trail - S-Line Connector to the Projs Titled McCoy's Creek Greenway - Outfall Improvements With Riverwalk, Park St Road Diet, McCoy's Creek Channel Improvements/Restoration, Ranch Rd - Duval to Tradeport - Sidewalks - Mobility DD, Armsdale Rd - Duval Road Improvements, Duval Road Improvements - btwn Airport Ctr & Main, & Emerald Trail Model Mile Proj to Pay for the Completion of the Projs, & (2) \$6,875,000 From the Authorized Capital Projs Fund to the JTA Transportation Projs Pay-As-You-Go Fund With Respect to the Shindler 103rd to Argyle Forest Proj, & Updating Prior Approps to Reflect Actuals; Amend the 24-28 5-Yr CIP Appvd by Ord 2023-505-E to Reflect This Approp of Funds to the CIP Projs; Prov for Oversight by the Engineering & Construction Mgmt Div of the Dept of Public Works (B.T.

24-065) (Dillard) (Req of Mayor) (Co-Sponsor CM Clark-Murray) (JWC Apv)
3/12/24 CO Introduced: NCSPHS, F, TEU, JWC
3/18/24 NCSPHS Read 2nd & Rerefer
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 3/26/24

Steve Long, Operations Director for Public Works, stated that this bill took leftover money from previous years' projects and appropriated them to projects that would improve recreational access to McCoys Creek. He stated that this project would widen the access point to the creek and improve drainage in the area.

Commissioner Redick asked whether Public Works had worked with the Resiliency team on this project, and Mr. Long stated that Public Works had worked with the Resiliency team and has considered "natural" solutions across various projects, like planting trees, in solving infrastructure problems. CM Clark-Murray noted that drainage were big safety issues in the Riverside and Mixon Town and requested to be added as a co-sponsor.

Federal Grant Opportunity Presentation

Brian Burket, Waterfront Project Manager, presented on a proposed City application to purchase land in partnership with NS Mayport that could be used as a new park. He stated that the City would receive additional points in its grant application by allowing public participation throughout the grant process.

He explained that this property mostly contained wetlands but that there were 5 acres of developable land. The previous owners had already installed electric water and sewers. This land was on Sherman Creek, and the proposed park could be used for passive access including kayaking, picnicking, and fishing. He added that there was also potential for a boat dock to be installed. The Navy would require access easement to the property, which would limit the property from being used for more active recreation.

Commissioner Fraden asked about the kayak launch, and Mr. Burket stated that there would ideally be easy access to this kayak launch.

Recognition by Captain Suber for Mike Getchell

Captain Suber noted that Mike Getchell, Executive Director for Jacksonville Marine Transportation Exchange, Inc., was retiring. He stated that Mr. Getchell had been involved with the Harbor for a very long time and that he had been instrumental in coordinating communications between various public and private entities with interest in the river system over the past few decades. The Harbor Safety Committee will be formally recognizing Mr. Getchell in May.

CM Clark-Murray stated that she respected the work that Mr. Getchell had done over the past several decades and would like to be a co-introducer of a resolution recognizing his work.

Commissioner Birtalan noted that Mr. Getchell had overseen the biggest improvement in communication between public and private entities with interest in the river system in his lifetime. Commissioner Haskell noted that she had noticed over the decades that few people do the majority of the work to keep the system running and that Mr. Getchell was one of these few who provided a backbone for the entire waterways community.

9. Old Business

a. St. Johns River Shoaling Task Force Update

Contact:
CM Gay

CM Gay noted that he had met with Mary Staffopoulos of the Office of the General Counsel and Kim Taylor of the Council Auditor's Office to receive guidance on pushing forward with a proposed Jacksonville University to determine whether sediment buildups in certain parts of the river were caused by dredging upstream.

He stated that before approving the JU study, the JWC and Council needed to outline the deliverables for the study, to specify which equipment is being purchased (as this equipment would be retained by the City after the study's completion), to ensure that the City had legal access to the segments of the river system being studied, and to ensure the Army Corps of Engineers' acceptance of the validity of the methodology of the study.

CM Gay asked Captain Suber to explain the communications that he had with the Army Corps of Engineers. Captain Suber explained that the Army Corps of Engineers does not feel like the sediment buildup is occurring as a result of their dredging operation; they had signaled their willingness to comply with a study that would need to be approved by Congress and would cost around \$3 million. However, this potential study is in a state of limbo, as it had not moved forward in the previous legislative session. Captain Suber expressed that the problem of shoaling was only getting worse, telling a story of a vessel that had recently gotten stranded on the shoal, and could likely not wait for this potential study.

CM Gay stated that the shoal has made it possible to "walk on water" in the river, agreeing with the assessment of the urgency of the situation. He asked whether the City had received a scope of work from the Army Corps of Engineers for this study, and Captain Suber stated that it had not. CM Gay added that, if the City does decide to move forward with the JU study, it first needs to get the Army Corps of Engineers to accept its methodology. Captain Suber stated that the Army Corps had been receptive to participating in a study; they were not willing to accept that they were responsible for the shoaling problem.

Commissioner Birtalan asked whether the City could allow JU to retain the equipment purchased for this study after its completion; he added that the City could require that a document showing how JU would incorporate this equipment into its curriculum as a deliverable for the project. Mary Staffopoulos of the Office of the General Counsel stated that the City could allow JU to retain this equipment but that the City would likely not have any control over the university's curriculum. She added that any curricular expense would be from the proposed study's expense.

Commissioner Barker stated that he believed the JWC was getting too "bogged down" in details. He stated that the City currently had two options: wait for the Army Corps and Congress to approve its study or to move forward with the proposed JU study. He agreed that the problem was urgent in nature and stated that the City might have to move the Army Corps forward by moving forward ourselves. CM Peluso agreed and added that the federal government may not be too motivated to move forward with a study until the problem affects commercial waters. He added that the City should get Congressmen Bean and Rutherford's offices to talk to the Shoaling Task Force but agreed that it seemed like the City's concerns were being sidelined by the Army Corps.

Commissioner Haskell asked whether the stranded vessel that Captain Suber referenced had caused any injury or property damage; Captain Suber stated that he was unsure whether this specific incident had

caused injury or property damage but that there had certainly been injury and property damage caused by the shoaling issue in the past. Commissioner Haskell asked whether there was a mechanism to designate the shoaling issue as a danger; Captain Suber stated that the City was working with the Coast Guard and a private contractor to install danger signs. These signs were going through the permitting process and needed to be approved by the Coast Guard; this approval could happen at any time.

Commissioner Fraden asked whether it was possible to put the Army Corps on notice for liability if it could be proven that the shoaling was caused by or was correlated with Army Corps dredging projects. Mary Staffopoulos of the General Counsel's Office answered that maritime law was not her specialty; she would research this issue.

Commissioner Barker emphasized that the City needed to speed up this process; he stated that the nature of many of Jacksonville's waterways was being upended by the shoaling issue. CM Peluso stated that the City could introduce a resolution recognizing the issue or send an official letter from the Council to Jacksonville's Congressional representatives. CM Gay stated that it had been difficult to coordinate meetings with the Congressional representatives' offices because of the dates of the legislative session; he had been trying to schedule this meeting to communicate to them the urgency of the issue so that the JU study could move forward.

b. River Accord Task Force Update - Next Meeting, Friday, March 22, 2024, at 10:00 a.m.

Contact:
CM Peluso

CM Peluso stated that the next meeting of this task force was on 3/22/2024 at 10:00 AM in the Lynwood Roberts Room. He stated that he would like to have discussions with the administration to get its blessing on a potential new River Accord and that he would like to get this new River Accord written and passed by the Council before the conclusion of his term as Chair of JWC.

c. Derelict Vessel Task Force Update

Contact:
CM Peluso & Commissioner Barker

Commissioner Barker reported that he had been working with Shannon MacGillis of the Office of the General Counsel to draft an ordinance regarding the "at-risk" vessel issue.

CM Peluso noted that the DIA and full Council had recently approved the legalization of specific open containers along the Riverwalk, stating that this will boost economic activity downtown. He also noted that the City had received a federal grant in the amount of \$147 million to be used for the Emerald Trail. He noted that the Emerald Trail was an ambitious project that would connect neighborhoods that had been split by the highway system in a natural way.

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.

Minutes:

Eamon Webb

EWebb@coj.net

(904) 255-5140

Posted: 3/19/2024, 10:00 AM