

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes - Amended

Wednesday, June 12, 2024

2:00 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 - Absent

Lane Burnett

Representative Kiyon Michael - Excused

Mark Devereaux - Excused

Andrew Fraden

Marc Hardesty

Richard Hartley - Excused

Richard J. Redick

Jill Haskell - General Public Rep - Absent

Jack Meeks, Ex-Officio - Absent

Adam Hoyles, Ex-Officio - Excused

Rebecca Bolton, Legislative Assistant

Shannon MacGillis, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Eamon Webb, Council Research

Jim Suber, Waterways Coordinator

Meeting Convened: 2:00 PM Meeting Adjourned: 3:33 PM

1. Call To Order

2.

Present 9 - Council Member Jimmy Peluso, Chair Mike Gay, Alternate Tyrone Clark-Murray, Vice Chair Ken Amaro, Commissioner Jon Michael Barker, Commissioner Lane Burnett, Commissioner Andrew Fraden, Commissioner Marc Hardesty, and Commissioner Richard Redick

Excused 4 - Commissioner Rep. Kiyon Michael, Commissioner Richard Hartley, Commissioner Mark Devereaux, and Ex-Officio Adam Hoyles

Absent 3 - Commissioner Robert Birtalan, Commissioner Jill Haskell, and Ex-Officio Jack Meeks

3. Pledge of Allegiance

4. Approval of Minutes

5. Presentation by Joe Kistel on Artificial Reefs

Joe Kistel, representing Coastal Conservation Association, gave a presentation on artificial reefs, playing a video showing the sinking of a barge to create an artificial reef.

He stated that the reefs installed in Duval County had been successful but that other counties had prioritized the installation of artificial reefs significantly more heavily. He stated that there had been 8 artificial reefs installed in Duval in roughly the past decade, whereas between 125 and 150 had been installed in Volusia County. He noted that these artificial reefs bring economic benefit through their boosting of the tourism and fishing economies. He stated that the main difference between Duval and other counties that have installed more artificial reefs is public interest; he noted that the Jacksonville Waterways Commission could assist the Coastal Conservation Association in navigating government in attempting to advocate for the installation of more artificial reefs.

Commissioner Fraden asked about the different structures and materials that could be used for an artificial reef. Mr. Kistel explained that artificial reefs must meet environmental specifications but that anything that clears these specifications is an acceptable structure. He stated that many divers prefer ships and vessels that are more intricate, as these more intricate structures can lead to more fish in the environment, but that flat-bottomed surfaces like barges also have their benefits, like being beneficial to coral and sponge growth.

Council Member Clark-Murray asked about the typical cost for the installation of an artificial reef, and Mr. Kistel noted a recent project that had installed two vessels in Destin for roughly \$2 million. He stated that the barge that had been shown in the video was donated by a private entity and that the projects that have been completed in Duval have largely been done so without public resources. Council Member Clark-Murray asked about the process by which CCA decides where to install artificial reefs, and Mr. Kistel explained that stakeholders like the Army Corps of Engineers provide input as to sites that would benefit from the presence of an artificial reef. He added that depth is a major consideration for whether a site would be suitable and that CCA would avoid installing new reefs on or too close to existing artificial reefs.

Commissioner Barker noted that he had significant diving experience and explained that Jacksonville's waterways tend to attract less reef tourism than other areas in Florida to the south. He stated that it could be better to pitch the installation of artificial reefs in Jacksonville as benefiting the fishing economy, but he stated that existing fishing quotas, including the red snapper quota, would have to be re-considered before these initiatives could commence. Mr. Kistel stated that both considerations could be a selling point for the installation of artificial reefs and that the major issue is whether the City chooses to get engaged on the issue.

Commissioner Hardesty expressed his support for the installation of artificial reefs, noting that they can be drivers of economic activity, and stated that he believes that the sightseeing in relation to diving to be strong in Duval County.

Commissioner Redick expressed his support for the projects and stated that Jacksonville should be in conversations to join the Blue Economy.

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

Dr. Pinto noted that he had attended a Sheriff's Office press conference along with representatives of law enforcement agencies and other stakeholders about the importance of obeying the speed zones and generally being a responsible boat owner for Memorial Day weekend. He stated that the dry weather had contributed to high salinity levels in the river system. Temperatures are currently between 85 and 87 degrees in the mainstem and higher (even up to 90 degrees) in tributaries. He stated that there had been no significant algae blooms reported but that there had been data collection issues. He stated that there had been no new manatee deaths, so the current tally is 3 reported manatee deaths with 1 being caused by vessel. There have been 42 total craft-related manatee deaths in the state total to this point in the year.

Commissioner Fraden noted that he had seen 4 manatees near Beach Boulevard that morning after not having seen many manatees this year up to this point. Dr. Pinto mentioned that in addition to manatees, many people had been reporting dolphin sightings in the river south of where they typically travel. Brian Burket, Waterfront Project Manager, stated that the Parks, Recreation & Community Services Department had overseen the installation of 20 informational, non-regulatory signs reminding boaters to be cognizant of the presence of manatees.

Commissioner Barker stated that he had been seeing manatees about every other day and had even recently seen bottlenose porpoises in the Ortega River. He expressed appreciation for Dr. Pinto's work. Dr. Pinto stated that we don't typically have porpoises in the river and it was interesting that Commissioner Barker had seen bottle nose dolphins in the Ortega River, as the amount of time that dolphins spend in low-salinity environments is an interesting area of study.

Council Member Gay stated that many had reported manatee sightings in the Broward River and Shad Creek. He asked Dr. Pinto to explain whether Jacksonville University had a website to which citizens could report manatee sightings. Dr. Pinto explained that JU did not have a website currently for this purpose; citizens could report manatee sightings to a Manatee Hotline phone number or directly to Dr. Pinto's email address. He stated that setting up a website or a phone application was a current consideration.

Captain Jim Suber, Waterways Coordinator, stated that he was pleased to hear that there had been no new manatee mortalities since the busy Memorial Day weekend and praised the efforts of Dr. Pinto and of the boating community in co-existing with the manatees.

Commissioner Hardesty asked whether the presence of dolphins further south was a result of the high salinity levels; Dr. Pinto stated that these dolphins' traveling further south was likely a result of their efforts to follow the fish, their food supply.

7. Public Comment

John Nooney expressed his support for the installation of artificial reefs. He stated that he had attended Northeast Florida Regional Council meetings to discuss the building of a park on a FEMA repetitive-loss property on Pottsburg Creek. He explained that 90% of waterfront property in Duval County is privately owned and that public waterways access is being crushed. He noted that 2024-0421 appropriated \$5 million and that the design of the project had utilized a Florida Inland Navigation District grant.

8. New Business

2024-0476-E ORD Approp \$154,100 from the Council President’s Designated Contingency to the Subsidies & Contributions to Private Org Acct for Mayport Waterfront, Inc., d/b/a Mayport Waterfront Partnership (MWP), to Provide \$110,000 in Grant Funding to Support Various Activities & Initiatives by MWP Related to Restoration of Mayport as a “Working Waterfront” & to the Repairs & Maint acct to Prov \$44,100 for Propty Improvements & Signage Upgrades in Mayport Village, to be Managed by the OED; Prov for Carryover to 9/30/25; Apv, & Auth the Mayor, or Her Desig, & the Corp Sec to Execute & Deliver an Agrmt btwn the City & Mayport Waterfront, Inc. for Svcs Related to Restoration of Mayport as a Working Waterfront; Waiving Conflicting Provisions of Sec 118.201 (Release of Appropriations), Pt 2 (Disbursement of City Grants), Ch 118 (City Grants), Ord Code, to Allow for Advance Payments to MWP; Waiving Sec 118.107 (Nonprofits to Receive Funding Through a Competitive Evaluated Award Process), Pt 1 (General Provisions), Ch 118 (City Grants), Ord Code, to Allow for a Direct Contract With MWP; Prov for Oversight by the OED (Staffopoulos) (Introduced by CMs Salem & Diamond) (Co-Sponsors CMs Miller & Peluso) (JWC Apv)
6/11/24 CO Introduced: NCSPHS, R, F, JWC
6/17/24 NCSPHS Read 2nd & Rerefer
6/17/24 R Read 2nd & Rerefer
6/18/24 F Read 2nd & Rerefer
6/25/24 CO PH Read 2nd & Rerefer
7/15/24 NCSPHS Amend/Approve 6-0
7/15/24 R Amend/Approve 7-0
7/16/24 F Amend/Approve 7-0
7/23/24 CO Amend/Approve 18-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 6/25/24

Mary Staffopoulos of the Office of the General Counsel explained the bill, which provides funding to Mayport Waterfront Partnership for the restoration of Mayport as a working waterfront.

Commissioner Redick noted that he would be abstaining from the vote due to a potential conflict of interest.

[2024-0395-E](#) ORD Adopting a Small-Scale Amendmnt to the FLUM Series of the 2045 Comp Plan at 13911 Atlantic Blvd - (43.80± Acres) - CGC, Pursuant to Ord 2009-621-E, Adopting a Remedial Amendment to the 2010 Comp Plan, to CGC - Jacksonville Intracoastal, LLC (R.E. # 167140-0100) (Appl # L-5810-23C) (Dist. 13-Diamond) (Parola) (LUZ) (JWC Apv) (PD & PC Apv) (Rezoning 2024-396)
5/28/24 CO Introduced: LUZ, JWC
6/4/24 LUZ Read 2nd & Rerefer
6/11/24 CO Read 2nd & Rerefer
6/25/24 CO PH Addn'tl 7/23/24
7/16/24 LUZ PH Approve 7-0
7/23/24 CO PH Approve 17-0
LUZ PH - 7/16/24
Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 6/25/24 & 7/23/24

Ed Lukacovic of the Planning Department gave a presentation on the proposed land use amendment, which would change the zoning of property to the direct west of the Intracoastal Waterway near Atlantic Boulevard from Community General Commercial ("CGC"), adopting a remedial amendment to the 2010 Comprehensive Plan, to CGC. Mr. Lukacovic explained the reason for the zoning change, the uses of the surrounding properties, and various flood models that demonstrated potential risk of developing on the property.

Council Member Clark-Murray asked about the potential for flooding in extreme weather events. Mr. Lukacovic noted that these flood models showed that there was risk of flooding in Category 1 Hurricanes but that the applicant planned to ensure that residences were built above the flood line.

Cyndy Trimmer, the applicant, answered questions about the property and application. She explained that the property is already zoned as CGC but that the property's existing zoning incorporated a condition that the developer of the property pay to maintain the right-of-way on Atlantic Boulevard. However, the City had since changed its policy regarding how developers pay for surrounding infrastructure from a concurrency policy to mobility fees; the new mobility fee policy would already require that the developer help pay for surrounding infrastructure. She stated that the developer would cluster residential uses outside of the flood hazard zone and that the existing requirements to build public docks and boat ramps would carry forward to the new zoning.

Commissioner Barker asked for clarification regarding the donation of the salt marsh on the property; Ms. Trimmer explained that the owner of the property when the remedial condition had been incorporated had donated the property. She added that the current owner had bought the property subsequent to this donation and that the current owner had donated more land for conservation. Commissioner Barker asked how the salt marsh would be protected given that the developer planned to heighten the elevation of the residential properties and that this filling of properties could bleed dirt to the salt marsh; Joe Schofield, a civil engineer representing the applicant, stated that the residential properties would require fill to increase their elevation. He stated that erosion and sedimentation concerns were both considered in the permitting process through Florida Department of Environmental Protection, St. Johns River Water Management District, and the City of Jacksonville.

Council Member Gay asked whether residential properties were being built considering the flood model that would be changing, as Mr. Lukacovic had recently explained that the extreme weather flood model would increase flooding from four feet to eight feet in this model. Mr. Schofield explained that residential properties would be built above this flood line but that there were areas of the property around the limited wave action line that were closer to six or seven feet. Council Member Gay confirmed with Mr. Schofield that all stormwater run-off would be treated according to City and state standards.

Council Member Clark-Murray noted that 2024-0396 was a companion bill and stated that the City should not be building in areas that might be dangerous in the future. She asked whether access to the property could be compromised in the event of an extreme weather system that would require residents to evacuate. Mr. Schofield explained that there would be ingress and egress access to the west of the property, nearly directly on Atlantic Boulevard; Ms. Trimmer noted that this matter had been discussed with the Planning Department and that the parties agreed that tenants would be given an Evacuation Plan upon move-in.

Commissioner Hardesty confirmed that this was the old Moody property and that this development was a revitalization of an old working waterfront. He expressed support for the project, stating that it would add public access to waterways.

Council Member Peluso confirmed with Mr. Lukacovic that this project would go before the Planning Commission on 6/20; Mr. Lukacovic stated that he believed that the Planning Department would recommend approval.

2024-0421-E ORD Approp \$5,000,000 from the Debt Mgmt Fund to an Existing CIP Proj Entitled “Hanz Tansler, Jr. Marina”; Amend the 24-28 5-Yr CIP Appvd by Ord 2023-505-E to Reflect This Approp of Funds to the Proj (Revised B.T. 24-107) (Dillard) (Req of Mayor) (JWC Apv)
5/28/24 CO Introduced: NCSPHS, F, JWC
6/3/24 NCSPHS Read 2nd & Rerefer
6/4/24 F Read 2nd & Rerefer
6/11/24 CO PH Read 2nd & Rerefer
6/17/24 NCSPHS Amend/Approve 6-0
6/18/24 F Amend/Approve 6-0
6/25/24 CO Amend/Approve 17-0
Public Hearing Pursuant to Ch 166, F.S. & C.R. 3.601 - 6/11/24

Council Member Peluso explained the bill and noted that this project was in his district. Council Member Clark-Murray noted that the bill was referred to the Neighborhoods, Community Services, Public Health, & Safety Committee.

9. Old Business

a. St. Johns River Shoaling Task Force Update

Contact:
CM Gay

Council Member Gay asked Brian Burket, Waterfront Projects Manager, to speak. Mr. Burket explained that the markers delineating the presence of the shoal were installed on 5/31/2024. These seven buoys were approved a couple of days before, and the City mobilized quickly to install them.

Commissioner Hardesty noted that the installation of these buoys had been a long time coming, stating that it was a miracle that no one had died as a result of the presence of the unmarked shoal, and that their installation was a result of the persistence and perseverance by Mr. Burket and Captain Jim Suber, Waterways Coordinator. He asked whether the City could get an aerial view of the buoys. Council Member Peluso stated these will go on the US Coast Guard "light list," and Captain Suber added that these buoys should report data to NOAA.

b. River Accord Task Force Update

Contact:
CM Peluso

Council Member Peluso stated that the meeting scheduled for Friday had been canceled and thanked everyone for their work on River Accord thus far. He expressed optimism that the JWC for the next Council year would pick up the work of the River Accord Task Force.

c. Derelict Vessel Task Force Update

Contact:
CM Peluso & Commissioner Barker

Commissioner Barker stated that the efforts to reform the Code section relating to derelict vessels was "at the five yard line." He thanked Shannon MacGillis of the Office of the General Counsel for her work on this issue. He thanked Captain Jim Suber, Waterways Coordinator, for his expertise on the issue and contacts who helped move the process along.

Commissioner Hardesty asked whether derelict vessels could be used as artificial reefs; Commissioner Barker noted that artificial reefs needed to clear environmental specifications and that it was unlikely that derelict vessels would clear these specifications.

Council Member Peluso thanked the Commission for its work throughout the year.

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:

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