City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202

Meeting Minutes

Wednesday, October 21, 2026

3:30 PM

Council Chamber,
1st Floor, City Hall

Special Committee on Drowning Prevention

Council Member Reggie Gaffney, Jr., Chair
Council Member Tyrona Clark-Murray, Vice-Chair
Council Member Mike Gay

Legislative Asst: Vanessa Galan
Research: Steven Libby
Auditors: Heather Reber
OGC: Shannon MacGillis

I. Call to Order

Chair Reggie Gaffney, Jr., convened the meeting at 3:30 p.m. and called for introductions.

II. Introduction

III. Approval of October 7th Meeting Minutes

A motion to approve the minutes of the October 7, 2026, meeting was made and seconded, and the minutes were approved without objection.

IV. Chair's Opening Remarks

Chair Gaffney, Jr., stated that he had learned much from the Special Committee's meetings, and that his goal, depending on how the meeting went, was to conclude the Special Committee's work by the following week. He added that he had a clear sense of the direction he wanted to take with new legislation.

V. Presentation to Include Findings, Current Working Partnerships & Recommendations

- **JFRD / NEFRC**
- **DCPS**
- **ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD)**
- **COJ PUBLIC WORKS**
- **JSO DIVE SGT.**

Mr. Tyler Nolen, Northeast Florida Regional Council Special Projects Coordinator, began the presentation to the Special Committee to provide an update on the status of the Working Group's initiatives. He stated that the Working Group had been taking all the information from the meetings, synthesizing it, producing recommendations, and preparing the final report.

Mr. Nolen stated that there had been a lengthy discussion at the previous meeting about the layers of prevention efforts being developed, such as elopement recovery and swimming lessons. Mr. Nolen presented the Working Group's solutions and focus areas, which include sustaining the Working Group as a permanent Drowning Prevention Coalition to pursue long-term efforts, and building an Autism, Elopement, and Water Safety Framework.

He added that the Working Group is looking to partner with Duval County Public Schools (DCPS) to determine how drowning prevention could be integrated into the curriculum. Mr. Nolen then stated that the biggest barrier to integrating water safety into the DCPS curriculum is transportation, and that the Jacksonville Fire and Rescue Department (JFRD) is researching the issue. He added that one possible solution could be mobile pools brought to students.

Mr. Nolen then discussed conducting a risk analysis of the approximately 9,700 ponds in the City and examining ponds within a 1,000-foot buffer of high-risk properties. He then discussed targeted registry outreach through REVAMP and other programs, and using public outreach to encourage people to join existing programs. He added that the Working Group is also working on hardware sourcing and tiered toolkits to prevent elopement.

Mr. Nolen then emphasized the need to improve public messaging through a centralized landing page for water safety, life-saving, and public awareness resources, along with an event calendar and enhanced community outreach. Mr. Nolen stated that at the next meeting, the Working Group would recap its ideas, and he asked the members to help in that process by identifying weaknesses in them so that the Working Group could capture the members' intent and goals.

Chair Gaffney, Jr., asked Mr. Nolen to elaborate on the 1,000-foot buffer, including whether it would look only at public or private ponds. Mr. Nolen stated that the GIS section is looking to conduct a risk analysis of all ponds.

Dr. Heather Albritton, Director, Academic Services, Health and Physical Education, DCPS, and Mr. Jason Merkison, Director, Exceptional Education and Student Services (EE/SS) Related Services, DCPS, provided a presentation on DCPS water safety programs.

Dr. Albritton provided an overview of existing communication and instruction on water safety, including information provided to families at initial enrollment as required by state law, injury prevention and safety instruction as part of comprehensive health education, and information shared with families about local water safety and swim lesson providers. She emphasized that DCPS's focus is on water safety rather than water competency, and that providing information and classroom instruction is not the same as verified swim proficiency.

Dr. Albritton then provided an overview of the barriers and gaps to expanding water safety education. She highlighted transportation issues, costs, scheduling constraints, challenges in teaching students with

disabilities who may have difficulty recognizing dangerous situations, and limited instruction time.

Mr. Merkison stated that, from an EE/SS perspective, one of the division's primary considerations is ensuring that its water safety information and prevention resources are accessible to all students and their families.

Chair Gaffney, Jr., asked how charter schools and private schools receive the same information. Dr. Albritton stated that resources on DCPS's public-facing website are available to everyone, and that specific lessons and curriculum are on DCPS's SharePoint site or curriculum guide, which require a DCPS login. Dr. Albritton added that many of the resources discussed would be accessible through the City's centralized location, and that it would then be a matter of communicating with charter schools and private schools.

Ms. Mary Ellen Winkler, Assistant Executive Director, St. Johns River Water Management District (SJRWMD), provided a presentation on SJRWMD and its pond permitting and maintenance requirements.

Ms. Winkler began by providing an overview of the District. She then described the District's core missions, which are water supply, flood protection, natural systems, and water quality, and stated that she would specifically review Environmental Resource Permits (ERPs). She reviewed the number of ERP applications received from 2020 to 2025 and stated that a permit typically covers more than one stormwater pond.

Ms. Winkler then explained that each water management district in Florida had previously had its own unique ERP rules, but that in 2013, the state asked the districts and the Florida Department of Environmental Protection (DEP) to create a unified, consistent set of rules, known as SWERP. She added that the Applicant's Handbook, Volume I, outlines SWERP.

Ms. Winkler then specified that each district has its own Applicant's Handbook, Volume II, which addresses issues unique to that district, such as special criteria applied to projects in the Apopka Chain area because of nutrient issues.

Ms. Winkler stated that Volume II also includes performance metrics for stormwater ponds, one of which is safety. She stated that wet ponds with side slopes steeper than 4:1 must be fenced or have some kind of barrier.

She added that after the events in August, the District had searched all of its technical staff reports for Duval County to identify permits with a fencing requirement, and had found fewer than 20. She added that the District had conducted a compliance check of all those permits and found that all were in compliance, with the required fencing in place.

Ms. Winkler stated that the District does not maintain any stormwater ponds, and that when the District issues a permit, one of the criteria the permittee must meet is identifying the final operation and maintenance entity. She added that the District then examines whether that entity has the financial, legal, and administrative capacity to perform operation and maintenance in perpetuity.

She stated that upon completion of construction, the permit is converted to an operation and maintenance phase, and the District conducts a check. She noted that the permittee is also required to provide routine operation and maintenance of all components of the stormwater management system, including the side slopes. She added that the District's program has included an inspection requirement since it began, with the responsible entity required to inspect the pond every two years. She explained that a 2024 rule change provided that, instead of every two years, inspections occur every one to five years, depending on the type of system.

CM Clark-Murray asked how the District defines safety. Ms. Winkler stated that all five water management districts define safety as the ability of a person to walk out of the pond, and that the 4:1 side slope was developed as the measure of that standard.

CM Clark-Murray asked whether it was reasonable to apply that definition of safety to children. Ms. Winkler stated that if it was determined that the rule needed to be more stringent, the District would have to establish a factual basis for a more stringent rule and provide an analysis of regulatory costs under Chapter 120, Florida Statutes. She added that if regulatory costs reach $200,000, which she stated was likely if fencing of ponds were required, the District must provide a statement of estimated regulatory costs. She stated that if those costs reach $1 million over five years, the District must seek legislative ratification.

CM Clark-Murray asked whether the recent deaths could be part of the factual basis used to justify new rules. Ms. Winkler stated that it could be part of the factual basis. She added that all five water management districts currently have the same side slope requirement, and that if the District moved forward with a proposal, it would coordinate with the other water management districts to keep the requirement consistent statewide. She added that some cities and counties within the District have implemented more stringent rules on other matters, and that the District sets the floor. She explained that systems under the District’s rules are designed to handle a 25-year, 24-hour storm event, but that some communities regulate to the 100-year storm event. She explained that the City could require all its ponds to be fenced, regardless of slope. She added that the District has field preemption in certain matters under Chapter 373, Florida Statutes, such as the consumptive use permitting program, under which the District regulates the withdrawal of water from the aquifer. She stated that the District does not have field preemption over stormwater pond systems.

CM Clark-Murray asked whether there was a requirement to design a pond as either a retention pond or a detention pond. Ms. Winkler stated that whether a pond is dry or wet is determined by the soils at the location, and that there are not many dry ponds in this area because of the soils. She added that the District does not have a regulation requiring a specific pond type, and that pond type is driven by engineering.

Mr. Joe Inderhees, Mayor’s Administration, asked about alternatives to fencing, such as natural barriers. Ms. Winkler stated that the typical natural barrier is shrubbery, but that the vast majority elect to use a fence where a barrier is required.

Mr. Inderhees asked whether altering the side slope requirement would go through the same rulemaking process as adding a fencing requirement. Ms. Winkler stated that it would.

Chair Gaffney, Jr., asked how often ponds were inspected. Ms. Winkler stated that permits issued before 2024 require inspection every two years, and that under the new rules, the inspection interval falls within a range of one to three years, depending on the system's complexity.

Chair Gaffney, Jr., asked whether she knew how many ponds were found out of compliance each year and what the remedy was for a pond found out of compliance. Ms. Winkler provided an example of a subdivision that had several issues, one of which was its side slope. She stated that the District received a complaint, sent an inspector to examine the system, and then sent a compliance assistance letter that outlined the issues and established a timeframe for a response. She added that the District then follows up, and that in this case, the homeowners association spent over $10,000 to correct issues with several ponds in a large, older subdivision where routine maintenance had not been performed. She stated that the homeowners association has since come into compliance.

Chair Gaffney, Jr., asked what would happen if a homeowners association did not report or respond to the District. Ms. Winkler stated that the District is constrained in how much it can inspect, so it prioritizes inspections of larger projects that are more at-risk, such as those with more ponds, more complex maintenance responsibilities, or treatment technologies used to meet water quality requirements.

Chair Gaffney, Jr., asked what “at-risk” meant. Ms. Winkler stated that at-risk ponds include those with fencing, those in larger developments with many ponds, and larger ponds, which experience more wave action that causes erosion.

Chair Gaffney, Jr., asked whether the District had inspected the ponds where two children drowned to determine whether the ponds were in violation. Ms. Winkler stated that if someone raised concerns with the District about a pond that could be out of compliance, the District could conduct an inspection.

Chair Gaffney, Jr., stated that he was sure many ponds were out of compliance, and he questioned whether residents were aware of the dangers. Chair Gaffney, Jr., asked whether Ms. Winkler could provide Mr. Nolen or Chief Andre Ayoub, JFRD Emergency Preparedness Division, with the number of ponds found out of compliance over the past three years.

CM Clark-Murray asked how a person could initiate the complaint process. Ms. Winkler stated that the District receives complaints by phone, by email, through its website, and in person at its service center.

CM Clark-Murray asked how often ponds were inspected. Ms. Winkler stated that there are several triggers for inspections, and that the District may inspect during construction, at the end of construction when it receives an as-built certification from a certified engineer, and upon a transfer, such as from a developer to a homeowners association.

CM Clark-Murray asked whether there were any fines associated with violations. Ms. Winkler stated that there could be, but that when the District works with a homeowners association, its goal is to avoid fines because the association needs the money to repair and maintain the system. She added that the District ensures homeowners associations have the financial capacity to repair and maintain their systems through deed restrictions and the associations’ articles of incorporation.

CM Clark-Murray asked whether Ms. Winkler had ever encountered a situation in which a homeowners association had egregious violations and could not rectify the issues. Ms. Winkler stated that the biggest challenges with homeowners associations are disputes within the associations.

CM Gay stated that the District is highly responsive to concerns and takes each one seriously. He added that changes to the side slope requirement would have to be made through state legislation.

Mr. Steve Long, Public Works, provided a presentation on the City's permitting process for ponds. He stated that the City follows the same technical requirements as the District, and that the City's design criteria are located in the Land Development Procedures Manuals. He added that Volume 2 contains the Design Guidelines and Volume 3 contains the Standard Design Details.

Mr. Long reviewed the City's geometry requirements for ponds and noted that the City requires side slopes to be no steeper than 4:1, and that steeper side slopes may be approved by the City Engineer provided that permanent bank stabilization and fencing are constructed. He added that while the District allows natural barriers in place of fencing, the City requires a 4-foot fence. Mr. Long then reviewed five pond design cases.

CM Clark-Murray asked what determined which pond design a developer used. Mr. Long stated that the two major factors in determining whether a pond is wet or dry are soil conditions and water table elevations. He added that Jacksonville has very few dry ponds and very few locations that would qualify for dry ponds under those two factors. He stated that whether a sidewalk is near a pond has no bearing on whether the pond needs a fence or a buffer, and that many locations make their ponds attractive as amenities with trails and walkways.

Chair Gaffney, Jr., asked Mr. Long how often City ponds were inspected and whether any had been out of compliance in the last two or three years. Mr. Long stated that the City has a National Pollutant Discharge Elimination System (NPDES) permit through the Florida Department of Environmental Protection (DEP), and that the permit requires the City to inspect ponds every three years. He added that because of the City's routine maintenance, it inspects more frequently than the three-year requirement.

Chair Gaffney, Jr., asked how a person could initiate the complaint process about a City pond. Mr. Long stated that a person can call 630-CITY or submit a complaint through MyJax.

CM Clark-Murray asked whether the people who inspected ponds were dedicated pond inspectors or Public Works employees with knowledge of pond requirements. Mr. Long stated that pond inspections are conducted by Public Works employees with knowledge of pond requirements.

Sgt. Jett Overall, JSO Dive Team, provided a presentation on the JSO Dive Team's policy and procedures. Sgt. Overall stated that the Dive Team's primary mission is to search for evidence that may enter the water, including persons, guns, drugs, and cars. He described several missions the Dive Team has conducted and explained that it is primarily a 14-person post-mortem unit on call 24 hours a day, 365 days a year.

CM Clark-Murray asked whether there were any changes in design that Sgt. Overall would like to see that perhaps hinder the Dive Team's recovery efforts. Sgt. Overall stated that there were not really any

changes that would hinder the Dive Team's recovery efforts, and that the Dive Team routinely trains for various environments.

Chair Gaffney, Jr., asked whether children who drowned were typically found in the middle of the water or near the bank. Sgt. Overall stated that it depends on the circumstances, and explained that children with autism are typically found closer to the bank, while children who intentionally go swimming are typically found in the middle of the water.

VI. Committee Discussion: Phase III – Proposed Legislative Framework

• Identify what each Committee Member would want to go in the proposed legislation.

• Legal review and next steps for proposed legislation (please ensure Roshanda has each Committee Member's recommendation)

Chief Ayoub stated that the working group has one more meeting, and that its goal is to package solutions into final recommendations and present them at the next Special Committee meeting. Chair Gaffney, Jr., expressed his desire to complete the Special Committee's work at either the next meeting or the meeting after. He then invited members of the Special Committee to offer recommendations or ask questions.

CM Gay stated that despite the restrictions placed by Senate Bill 180, the City could set an example by implementing precautionary measures, such as fences, in the City's own developments. He added that the Planning Department could encourage private developers to implement protective measures, and that protective measures should be a discussion point during consideration of rezoning bills. He stated that the City could also provide incentives for developers to implement protective measures.

CM Clark-Murray stated that she wanted Ms. Shannon MacGillis, OGC, to review Chapters 120 and 373, Florida Statutes, and the field preemption issues raised by Ms. Winkler. She stated that CM Ju'Coby Pittman had done work on the issue, beginning with an examination of incentives that could encourage developers to fence certain retention and detention ponds, while considering the proximity of ponds to multifamily developments. She then directed a question to Ms. Helena Parola, Planning Department Director, asking at what point in the process developers decided between a retention pond and a detention pond.

Chair Gaffney, Jr., stated that the Special Committee would meet in two weeks, with the intention that the next meeting would be the last. He then asked the working group to provide the Special Committee with a summary of everything learned over the past two to three months. He also asked members of the Special Committee to bring any items they would like to see in future legislation to the next meeting.

VII. Public Comment

No public comment cards were submitted during the meeting.

VIII. Chair's Recap and Phase IV Next Steps

Chair Gaffney, Jr., announced that because committee meetings were being moved from Tuesday to Wednesday due to Election Day, the next meeting would be held at 3:30 p.m. on November 4, 2026, in the Lynwood Roberts Room.

IX. Adjournment

Chair Gaffney, Jr., adjourned the meeting at 4:55 p.m.

Minutes: Steven Libby, Council Research
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Posted: 10/27/26, 3:00 p.m.