

ST. JOHNS RIVER ALLIANCE

- Incorporated in September 2003 as a Florida not-for-profit organized for the purposes of public education and conservation to promote, preserve, protect, restore and celebrate the St. Johns River as an American Heritage River in recognition of its ecological, historic, economic, recreation, and cultural significance.
- The 23-member Board of Directors was composed of: 1) an individual appointed by the Mayor of Jacksonville; 2) an individual appointed by the County Commission or Council of each of the following counties – Clay, St. Johns, Putnam, Lake, Flagler, Volusia, Brevard, Seminole, Orange, Osceola and Indian River; 3) an individual appointed by the Northeast Florida Regional Planning Council and the East Central Florida Regional Planning Council; and 4) 9 citizens elected by the Board of Directors being equally divided between the upper, middle and lower basins of the St. Johns River, who shall be dedicated to support the mission of the organization and generally represent conservation, science, education and/or business interests relating to the St. Johns River.
- The Alliance existed as a registered Florida corporation until 2017 when it was changed from active to inactive status because of the failure to file an annual report for 2017. The last post to the St. Johns River Alliance blog (stjohnsriveralliance.blogspot.com) was in March of 2015.
- The Alliance's 2002-03 annual report listed the following Accomplishments and Resources Leveraged:
 - Enhancement of the St. Johns River Eco-Heritage Corridor (signage, brochures, web site, etc.)
 - Development of ecotourism-related infrastructure (i.e. boat facilities, B&Bs, waste disposal sites)
 - Connecting and improving trails from various county and state areas to form a continuous swath of greenways
 - \$240,000 from the U.S. Geological Survey to monitor the Lower St. Johns River
 - \$2 million from the National Park Service to acquire land in the Timucuan Preserve (to be matched by \$3 million in City of Jacksonville funds)
 - \$150,000 from FEMA for land acquisition to support The Preservation Project and flood control efforts
 - Technical support from the Rivers, Trails and Conservation Assistance Program to help develop a master plan for the Volusia Heritage Trail
 - U.S. Army Corps of Engineers Preliminary Restoration Plan for the Hogan's Creek Greenway restoration
 - U.S. Fish and Wildlife Service \$11,000 matching funds for controlled burns to eliminate invasive and exotic vegetation for the Lake George Restoration project
 - U.S. EPA support to provide a half-time coordinator for the St. Johns River Eco-Heritage Corridor

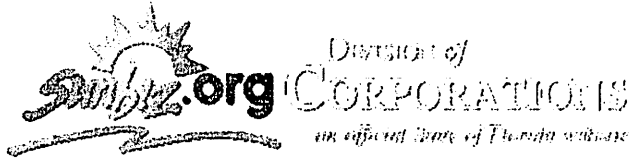
ST. JOHNS RIVER ACCORD

- The River Accord is a multi-agency partnership established in 2007 to restore the health of the lower St. Johns River via a 10-year, \$700 million initiative to improve water quality, and includes the St. Johns River Water Management District (SJRWMD), Florida Department of Environmental Protection (FDEP), Water and Sewer Expansion Authority (dissolved and succeeded by JEA), and the City of Jacksonville. The Florida Department of Health in Duval County (DOH-Duval) provides regulatory assistance rather than capital improvement projects.
- The River Accord has 4 areas of interest (AOIs):
 - Program accountability
 - Improving water quality (via reducing the amount of nitrogen discharged into the river (via phase-out of older technology wastewater plants; improving other wastewater treatment plants and expanding re-use of treated wastewater for irrigation of lawns, parks and golf courses; elimination of failing septic tanks; and capture and treatment of stormwater before it enters the river)
 - Tracking sedimentation
 - Improving public access
- The 2016 Annual Progress Report listed the following funding allocations to date:
 - SJRWMD and the State of Florida have contributed \$46.5 million for partnership projects with Atlantic Beach, Neptune Beach, Jacksonville Beach, Orange Park, Clay County Utility Authority, JEA, and NAS Jacksonville
 - SJRWMD and the State have contributed an additional \$11.9 million through competitive cost share funding for nutrient reduction projects benefitting the river and springs.
 - SJRWMD, FDEP, the Florida Legislature and the Florida Department of Agriculture and Consumer Services collectively funded \$7.5 million for agricultural runoff collection and treatment projects in the Tri-County Agricultural Area
- In 2013, JEA fulfilled its last remaining commitments for the River Accord with regard to wastewater improvement projects (over \$150 million), including upgrading regional treatment plants, phasing out older technology plants, and expanding the utility's reclaimed water system (on-going effort). JEA achieved a reduction of over 1.6 million pounds per year of nitrogen entering the St. Johns River (from 1,400 tons of nitrogen per year in 2000 to less than 600 tons per year in 2013, a 60% reduction).
- AOI #1 Program Accountability achievements:
 - State of the River Report
 - Shellfish harvesting area studies
 - Mercury study
- AOI #2 Improving Water Quality
 - Numerous wastewater treatment plant upgrades
 - Increasing treated wastewater reuse
 - Septic tank phase-out in high hazard areas
 - Non-point source collection and treatment projects
 - Agricultural projects
 - Tributary BMAPs
 - Irrigation limitations
- AOI #3 Tracking Sedimentation
 - City stormwater utility collection, retention, treatment and outfall projects

- Erosion and sediment enforcement activities
- AOI #4 Improving Public Access
 - Blue Cypress/Arlington Lions Club Park boardwalk extension
 - Mayport Boat Ramp additional floating docks
 - Exchange Club Island Park development
 - McCue Boat Ramp parking lot lighting
 - Northshore Park kayak launch
 - Southbank Riverwalk reconstruction
 - Jim King Park and Boat Ramp lighting and floating docks
 - Half Moon Island Preserve boat ramp and fishing pier design
 - Charles Reese Memorial Park fishing pier and kayak launch design
 - Trout River Pier renovation
 - County Dock Boat Ramp replacement design
 - County water access map

Florida Department of State

DIVISION OF CORPORATIONS



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity Name

Florida Not For Profit Corporation
ST. JOHNS RIVER ALLIANCE, INC. ←

Filing Information

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Principal Address

2029 NORTH THIRD STREET
JACKSONVILLE BEACH, FL 32250

Changed: 09/18/2007

Mailing Address

2029 NORTH THIRD STREET
JACKSONVILLE BEACH, FL 32250

Changed: 09/18/2007

Registered Agent Name & Address

MIDDLEBROOK, MARK MR.
2029 NORTH THIRD STREET
JACKSONVILLE BEACH, FL 32250

Name Changed: 01/06/2010

Address Changed: 09/18/2007

Officer/Director Detail

Name & Address

Title Secretary

Henderson, Clay, Esq.
 421 North Woodland Blvd Unit 8262
 Sage Hall Room 212
 DeLand, FL 32723

Title Board Member

Northey, Patricia
 2310 Carson Lane
 Deltona, FL 32738

Title Treasurer

Campbell, Dean
 1613 Hawkcrest Drive
 St. Johns, FL 32259

Annual Reports

Report Year	Filed Date
2014	03/24/2014
2015	01/09/2015
2016	02/26/2016

Document Images

02/26/2016 -- ANNUAL REPORT	View image in PDF format
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09/18/2007 -- REINSTATEMENT	View image in PDF format
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09/06/2005 -- ANNUAL REPORT	View image in PDF format
08/26/2004 -- ANNUAL REPORT	View image in PDF format
09/11/2003 -- Domestic Non-Profit	View image in PDF format

ARTICLES OF INCORPORATION
OF
ST. JOHNS RIVER ALLIANCE, INC.

FILED

2003 SEP 11 PM 2:25

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The undersigned, for the purpose of becoming incorporated under Chapter 617 of the laws of the State of Florida, applicable to corporations not for profit, do hereby submit the following Articles of Incorporation :

ARTICLE I
Corporate Name

The name of the corporation shall be the St. Johns River Alliance, Inc. and the principal office location and mailing address shall be 701 San Marco Boulevard, Suite 7W Jacksonville, Florida 32207.

ARTICLE II
Corporate Purpose

This Corporation is organized exclusively for charitable, and educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue law. This Corporation is organized specifically for the purposes of public education and conservation to promote, preserve, protect, restore, and celebrate the St. Johns River as an American Heritage River in recognition of its ecological, historic, economic, recreational, and cultural significance, so that the public may gain a greater appreciation for its importance to the quality of life of current and future generations; and to engage in any lawful purposes not for pecuniary profit.

The corporation is constituted so as to attract support from contributions, directly or indirectly, from a representative number of persons in the area in which it operates and has not been formed for pecuniary profit or financial gain, and no part of the assets, income or profit of the Corporation is distributable to, or inures to the benefit of, its directors or officers; provided however, reasonable compensation as set by the Board of Directors may be paid for services rendered to or for the Corporation.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this certificate, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or by a corporation contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue law).

ARTICLE III
Corporate Powers

For such purposes, and operating without profit, and in the manner herein stated, the corporation shall have the power to:

- A. Engage in any and all activities which may be deemed necessary or appropriate for the proper and successful attainment of the objects and purposes for which this corporation was created.
- B. Solicit, accept, hold and administer contributions, grants, or otherwise received by deed, gift, will, ordinance, statute or otherwise, either in trust or otherwise; to own, hold, operate and administer or dispose as corporate assets consistent with the corporate purpose.

ARTICLE IV
Board of Directors

All corporate powers shall be exercised by or under the authority of, and the affairs of the Corporation shall be managed by, its Board of Directors. The Board of Directors shall consist of such number of persons as shall be fixed pursuant to the Bylaws from time to time, but shall not be less than the minimum number prescribed by applicable Florida law at the time the size of the Board is being fixed. The qualifications to serve as a director, the rights and powers of the directors, and the method of appointment or election of directors shall be as specified in the Bylaws. Until otherwise stated in the by-laws the Board of Directors shall consist of:

An individual appointed by the Mayor of Jacksonville

An individual appointed by the County Commission or Council of each of the following counties: Clay, St. Johns, Putnam, Lake, Flagler, Volusia, Brevard, Seminole, Orange, Osceola, and Indian River

An individual each appointed by the Northeast Florida Regional Planning Council and the East Central Florida Regional Planning Council

Nine citizens elected by the Board of Directors being equally divided between the upper, middle, and lower basins of the St. Johns River. The citizens shall be dedicated to support the mission of the organization and generally represent conservation, education, science and/or business interests relating to the St. Johns River.

The Corporation has three (3) directors initially, who shall serve until the organizational meeting of the Board of Directors or until their successors are elected and qualify. The names and addresses of the initial directors are:

1. John Delaney, 117 W. Duval Street Jacksonville, FL 32202
2. Pat Northey, 123 W. Indiana Ave. DeLand, FL 32720
3. Nancy Harris, 514 St. Johns Ave. Palatka, FL 32177.

ARTICLE V

Duration

The term for which this Corporation shall exist shall be perpetual. In the event of the dissolution of this Corporation, any assets of said corporation then remaining shall be distributed to Preservation Project Jacksonville, Inc., or such organizations as shall qualify under Section 501 (c) (3) of the Internal Revenue Code of 1986 as amended.

ARTICLE VI

Members

Unless otherwise provided in the by-laws, there shall be no members of the corporation.

ARTICLE VII

INDEMNIFICATION

(a) The Corporation shall indemnify any person who is or was a party to any proceeding by reason of the fact that such person is or was a director or officer of the Corporation or its subsidiaries, to the fullest extent not prohibited by law, for actions taken in the capacity of such person as a director or officer of the Corporation or its subsidiaries. To the fullest extent not prohibited by law, the Corporation shall advance indemnification expenses for actions taken in the capacity of such person as an officer or director, within twenty (20) days after receipt by the Corporation of (1) a written statement requesting such advance, (2) evidence of the expenses incurred, and (3) a written statement by or on behalf of such person agreeing to repay the advanced expenses if it is ultimately determined that such person is not entitled to be indemnified against such expenses.

(b) The Corporation by action of its board of directors, in its sole discretion, may indemnify any person who is or was a party to any proceeding, by reason of the fact that such person is or was an employee or agent of the Corporation or its subsidiaries, to the fullest extent not prohibited by law, for actions taken in the capacity of such person as an employee or agent of the Corporation or its subsidiaries. The Corporation by action of its board of directors, in its sole discretion, may advance indemnification expenses for actions taken in the capacity of such person as an employee or agent, after receipt by the Corporation of (1) a written statement requesting such advance, (2) evidence of the expenses incurred, and (3) a written statement by or on behalf of such person agreeing to repay the advanced expenses if it is ultimately determined that such person is not entitled to be indemnified against such expenses. Absent specific action by the board of directors, the authority granted to the board of directors in this paragraph (b) shall create no rights in the persons eligible for indemnification or advancement of expenses and shall create no obligations of the Corporation relating thereto.

ARTICLE VIII
Amendments and By-Laws

These Articles of Incorporation may be amended by the directors of the Corporation at a regular meeting or a special meeting of the directors called for that purpose by a two-thirds vote of those present. The By-Laws of this Corporation shall be made, altered and rescinded by a majority vote of the Directors present and voting at any regular meeting of the Directors or at a special meeting called for that purpose.

ARTICLE IX
Registered Office

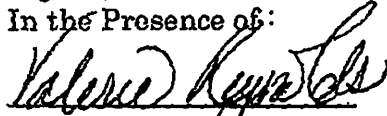
The street address of the initial registered office of this Corporation is 200 South Orange Ave Suite 2600 Orlando, Florida 32810 and the name of the initial registered agent is Clay Henderson.

ARTICLE X
Incorporator

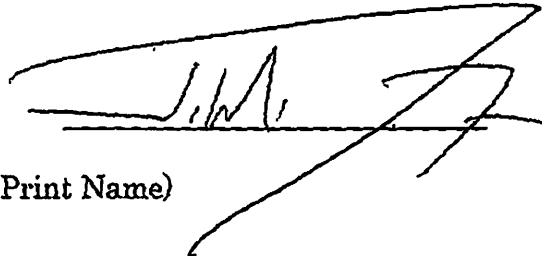
The name and address of the incorporator is John Delaney 117 W. Duval Street Jacksonville, FL 32202.

IN WITNESS WHEREOF, the undersigned incorporators have hereunto set their hand and seal this 23rd day of June 2003.

Signed, Sealed and Delivered
In the Presence of:




VALEKIE REYNOLDS (Type or Print Name)



STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing Instrument was acknowledged before me this 23rd day of June, 2003, by John Delaney who is personally known to me or who has produced _____ as identification.


Notary Public/State of Florida at Large

My Commission Expires: 12/06
CC 778085

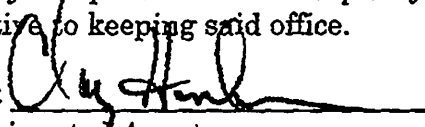
CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENCY UPON WHOM PROCESS MAY BE SERVED.

Pursuant to Chapter 48.091, Florida Statutes, the following is submitted, in compliance with said Act:

That St. Johns River Alliance, Inc. desiring to organize under the laws of the State of Florida, with its principal office at the City of Jacksonville, County of Duval, State of Florida as set forth in the Articles of Incorporation, has named Clay Henderson, located at 200 South Orange Avenue Suite 2600 Orlando, Florida 32810 as its Registered Agent to accept service of process on the corporation's behalf within this State.

ACKNOWLEDGMENT

Having been named to accept service of process for the above stated corporation, at place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provision of said Act relative to keeping said office.

By: 
Designated Agent

FILED
2009 SEP 11 PM 2:25
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Florida Attorney General Advisory Legal Opinion

Number: INFORMAL

Date: January 6, 2005

Subject: Sunshine Law; St. Johns River Alliance, Inc.

Mr. Scott L. Knox
Brevard County Attorney
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Dear Mr. Knox:

On behalf of the Board of County Commissioners of Brevard County, you have asked for this office's assistance in determining whether the St. Johns River Alliance, Inc., a non-profit corporation formed to help carry out the federal American Heritage Rivers Initiative and the associated intergovernmental Partnership Agreement among state, local and federal governmental entities, is subject to the open meetings requirements of the Government in the Sunshine Law, section 286.011, Florida Statutes.

The President of the United States created the American Heritage Rivers Initiative by executive order in 1997. [1] Pursuant to the provisions of the initiative, the St. Johns River was officially designated an American Heritage River in recognition of its ecological, historic, economic and cultural significance. [2] The "American Heritage Rivers Initiative Partnership Agreement between the St. Johns River Community, State, Regional and Federal Agencies" was entered into in December 1999. [3]

The partnership agreement established the goals and objectives of the initiative and provided for a Steering Committee for carrying out the program. [4] After working with the Florida Department of Environmental Protection and other state and federal parties, the Steering Committee concluded that the structure of the initiative provided an opportunity to create a public-private partnership to further the goals of the initiative and the overall restoration goals of its partners through a non-governmental organization. [5] The St. Johns River Alliance, Inc., was formed in response to recommendations from the Steering Committee and is described as follows:

"[T]he St. Johns River Alliance, [shall be] a Florida not for profit federal tax exempt corporation to facilitate intergovernmental and public support, whose mission will be to promote, preserve, protect, and celebrate the St. Johns River as an American Heritage River in recognition of its ecological, historic, economic, recreational, and cultural significance, and to further conservation and restoration efforts so that the public may gain a greater appreciation for its importance to the quality of life of current and future generations." [6]

The Board of Directors of the St. Johns River Alliance, Inc., is made up of twenty-three individuals appointed by agencies originally involved in creating the Alliance, including: the Mayor of the City of Jacksonville; the Chairs of the Northeast and East Central Florida Regional Planning Councils, and the county commission chairpersons for Clay County, St. Johns County, Putnam County, Lake County, Volusia County, Seminole County, Brevard County, Orange County, Flagler

County, Osceola County and Indian River County.[7] A number of federal agencies were included in the agreement, although they were not signatories thereto. Among these agencies are the Department of Agriculture, the Department of Commerce, the Department of Defense (Army Corps of Engineers), the Department of the Interior (National Park Service, Fish and Wildlife Service, and U.S. Geological Survey), and the Small Business Administration.[8] Any organization that offers assistance to the St. Johns River community in accomplishing plans consistent with the goals of the American Heritage Rivers Initiative may become a party to the agreement.[9]

The Articles of Incorporation of St. Johns River Alliance, Inc., specify that the corporation was organized specifically "for the purposes of public education and conservation to promote, preserve, protect, restore, and celebrate the St. Johns River as an American Heritage River in recognition of its ecological, historic, economic, recreational, and cultural significance, so that the public may gain a greater appreciation for its importance to the quality of life of current and future generations; and to engage in any lawful purposes not for pecuniary profit." [10] The goals and responsibilities of the St. Johns River Alliance, as set forth in the Memorandum of Understanding, are to:

"[F]oster appropriate action to conserve, restore, and enhance the St. Johns River and improve the quality of life in communities along its banks. As appropriate, the federal and state partners will assist the community in identifying possible funding and/or cost-share sources to support projects and programs identified by the river community to improve the river; provide technical support to the river community; coordinate federal and state efforts through a partnership to support the vision and goals of the river community; and facilitate outreach and information on American Heritage River projects."

The articles of incorporation provide that "[n]o substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office." [11] The St. Johns River Alliance is authorized to seek grants, contracts, and other agreements from among the supporting agencies and from other agencies, foundations, and donors to accomplish its mission. [12] The Alliance is specifically given the authority to "advocate specific policy initiatives before public agencies who are signatories to this agreement[.]" [13]

The partnership agreement specifically requires that "[n]otifications of Steering Committee [now the St. Johns River Alliance, Inc.] meetings will be published in local newspapers, meetings will be open to the public, and minutes will be kept and made available to the public." [14] In addition, a similar provision is directed to advisory committees established for each of the three St. Johns River basins. [15]

A review of the State of the River 2002 report supplied to this office lists the "Accomplishments and Resources Leveraged" by the Alliance. As a reflection of the types of projects undertaken by the Alliance, three projects were selected as "keystone projects" for special focus for 2002-2003:

Enhancement of the St. Johns River Eco-Heritage Corridor. Goals to improve this river-length corridor are to: obtain signage for site identification, produce activity-themed brochures, enhance the website, and develop an outreach effort to inform communities about the river's wonders.

Development of ecotourism-related infrastructure such as boat facilities to connect remote recreational areas, bed and breakfast facilities to house ecotourists and waste disposal/package plants for isolated recreational areas.

Connecting and improving trails from various counties and state areas to form a

more continuous swath of greenways for environmental enhancement and recreation."

The report indicates that funding has been received and partnerships have been established for a number of projects:

"Monitoring of the Lower St. Johns River. \$240,000 from the US Geological Survey for monitoring to study water quality in sanitary nuisance areas where there were failing septic tanks.

Timucuan Land Acquisition. \$2 million from the National Park Service for land acquisition of critical parcels within the Timucuan Ecological and Historic Preserve, particularly uplands most threatened by development. \$3 million from the City of Jacksonville will match these funds.

Preservation Project. \$150,000 for land acquisition to support the Preservation Project and flood control efforts in Jacksonville, from the Federal Emergency Management Agency.

Volusia Heritage Trail. Technical support from the Rivers, Trails and Conservation Assistance Program is being provided to develop a master plan to connect and network the county's Environmental, Cultural, Heritage and Outdoor Recreation assets.

Hogan's Creek Greenway Restoration. The Corps of Engineers is developing a Preliminary Restoration Plan, the first step in the restoration process, in cooperation with the city of Jacksonville.

Lake George Restoration. The Fish and Wildlife Service provided \$11K in matching funds for controlled burns to eliminate invasive and exotic vegetation.

St. Johns River Eco-Heritage Corridor. The US EPA provided support to fund a half-time coordinator for the Corridor. Camp, Dress and McGee, Inc. provided pro bono resources to launch the web site for the Corridor." [16]

Among the priorities identified by the Alliance for the St. Johns River are: the acquisition and preservation of environmentally sensitive lands; the improvement of water quality (storm water retrofits and septic tank connections); recreational development (hiking trails, park improvements, and boating access); environmental restoration and protection; and the development of cultural and environmental sites and learning centers. [17]

Under these circumstances you have asked whether the meetings of the St. Johns River Alliance, Inc., are subject to section 286.011, Florida Statutes, the Government in the Sunshine Law.

The Government in the Sunshine Law, section 286.011, Florida Statutes, requires that meetings of a public board or commission at which official acts are to be taken are to be open to the public. The statute has been held to extend to the discussions and deliberations of, as well as formal action taken by, a public board or commission. [18] In interpreting the Government in the Sunshine Law, the courts have stated that it was the intent of the Legislature to bind "every 'board or commission' of the state, or of any county or political subdivision over which it has dominion and control." [19]

A private organization that performs services for a public agency and receives compensation for such services is not, by virtue of that relationship alone, subject to section 286.011, Florida Statutes. [20] The courts have generally considered whether there has been a delegation of the public agency's governmental or legislative functions or whether the private organization plays an integral part

in the public agency's decision-making process.[21]

The St. Johns River Alliance is authorized to "advocate specific policy initiatives before public agencies," and appears to function as an advocacy group for the St. Johns River - developing plans and priorities and seeking funding to accomplish those goals. In this respect, the Alliance resembles a private, nonprofit corporation that was the subject of Attorney General's Opinion 98-24, regarding its work assisting a municipality in implementing a federal loan program.

In that opinion, the Hollywood Economic Growth Corporation, Inc., was a not-for-profit corporation created as a separate, independent and autonomous entity from the City of Hollywood and was not intended to be an agency or arm of the city. The purpose of the corporation was to promote economic development and investment within the city. The corporation became involved in a federal Housing and Urban Development loan program with the city. The corporation provided assistance to the city on three levels: the corporation marketed the loan program under federal guidelines to identify potential applicants; the corporation prequalified the eligibility of the applicants and their proposed projects; and the corporation provided assistance to the potential applicants in completing their applications and preparing their applications for submission to the city. Based on an analysis of the relationship between the corporation and the city, this office concluded that the corporation would be acting on behalf of the city in undertaking these responsibilities. The corporation was determined to be standing in the shoes of the city for purposes of the Government in the Sunshine Law when it was assisting the city in implementing this loan program.[22]

In an early Sunshine Law case, *Town of Palm Beach v. Gradison*, [23] the Florida Supreme Court construed the scope of section 286.011, Florida Statutes, to extend to include the "inquiry and discussion stages" of meetings of public bodies. The Court held that an advisory lay group of citizens served as an arm of the town council by serving part-time as the alter ego of the council to make tentative decisions guiding zoning planners. Much of the administrative and legislative decision-making authority regarding zoning matters was delegated to this group, and therefore the Court held that it was a board or commission subject to section 286.011, Florida Statutes.[24] In the earlier *IDS Properties* case, the Fourth District Court of Appeal stated that:

"It is axiomatic that public officials cannot do indirectly what they are prevented from doing directly. Those to whom public officials delegate de facto authority to act on their behalf in the formulation, preparation and promulgation of plans on which foreseeable action will be taken by such public officials stand in the shoes of such public officials insofar as the application of the Government in the Sunshine Law is concerned." [25]

A review of the enabling documents of the St. John's River Alliance, Inc., and the cases and statutes discussed above present a close question of whether the Alliance is subject to the Government in the Sunshine Law. The Alliance clearly works with state and local governmental entities in the development and implementation of projects relating to the St. Johns River. The membership of the board of directors reflects substantial governmental involvement at the local and state level. Funds to carry out projects of the alliance come from governmental sources.

The facts of this case present a close question whether the St. Johns River Alliance, Inc., is subject to the Government in the Sunshine Law. However, the courts of this state have held that the Sunshine Law must be broadly construed to effect its remedial and protective purpose.[26] As the Supreme Court of Florida made clear in *Town of Palm Beach v. Gradison*, [27] "[w]hen in doubt, [a collegial body] should follow the open-meeting policy of the State."

Therefore, it is the opinion of this office that the St. Johns River Alliance should consider itself subject to section 286.011, Florida Statutes, and provide notice of its meetings, hold those meetings open to the public, and record minutes of Alliance meetings as provided in the Government in the Sunshine Law and cases decided thereunder.

Sincerely,

Gerry Hammond
Senior Assistant Attorney General

GH/tfl

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- [1] See Exec. Order No.13061, at 62 Fed. Reg. 27,253 (1997).
 - [2] See American Heritage Rivers Initiative Partnership Agreement between the St. Johns River Community, State, Regional and Federal Agencies, dated 12/15/1999.
 - [3] *Id.*
 - [4] See St. Johns River Alliance Memorandum of Understanding, "Whereas" clause 2.
 - [5] *Id.* "Whereas" clause 4.
 - [6] *Supra* n. 4 at paragraph 3.
 - [7] See St. Johns River Alliance Memorandum of Understanding, paragraph 8A.
 - [8] *Id.* at paragraph 8D.
 - [9] *Supra* n. 7 at paragraph 8H.
 - [10] Article II, paragraph 1, Articles of Incorporation of St. Johns River Alliance, Inc.
 - [11] *Id.* at paragraph 3.
 - [12] See St. Johns River Alliance Memorandum of Understanding, paragraph 5.
 - [13] *Id.*
 - [14] American Heritage Rivers Initiative Partnership Agreement between the St. Johns River Community, State, Regional and Federal Agencies, s. 2, "Steering Committee" dated 12/15/1999.
 - [15] *Id.* "Advisory Committees," stating that "meetings will be open to the public and minutes of meetings will be kept and made available to the public."
 - [16] See State of the River 2002, St. Johns American Heritage River, p. 2.
 - [17] See *Id.*, p. 3.
 - [18] See, e.g., *Times Publishing Company v. Williams*, 222 So. 2d 470, 473 (Fla. 2nd DCA 1969).

[19] *Id.*

[20] See Op. Att'y Gen. Fla. 04-32 (2004).

[21] See, e.g., *McCoy Restaurants, Inc. v. City of Orlando*, 392 So. 2d 252 (Fla. 1980).

[22] And see Op. Att'y Gen. Fla. 98-47 (1998), concluding that the Hollywood Economic Growth Corporation was not subject to the Government in the Sunshine Law when it was counseling and advising private business concerns on their participation in the federal loan program made available through the City of Hollywood.

[23] 296 So. 2d 473 (Fla. 1974).

[24] And see *IDS Properties, Inc., v. Town of Palm Beach*, 279 So. 2d 353 (Fla. 4th DCA 1973), wherein the court held that there was no government by delegation exception to the Government in the Sunshine Law by undertaking to delegate the conduct of public business through the use of an alter ego.

[25] *Id.* at 356.

[26] See e.g., *Wood v. Marston*, 442 So. 2d 934 (Fla. 1983); *Town of Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974); *Board of Public Instruction of Broward County v. Doran*, 224 So.2d 693, 699 (Fla. 1969) (statute should be broadly construed to effect its remedial and protective purpose).

[27] *Supra* n. 24.

2010 St. Johns River Summit To Discuss Current And Future State Of The River

August 24, 2010

The 2010 St. Johns River Summit is a celebration of one of North America's great rivers. The two-day event will bring together scientists, leaders and concerned citizens to provide information about the river's health, its economic potential and what needs to be done to ensure that this American Heritage River can be enjoyed for generations to come.

The Summit will be Sept. 15 - 16 at Jacksonville's Prime F. Osborn III Convention Center. JEA has just been added as the title sponsor for this two-day event which is being organized by the St. Johns River Alliance. Anyone may register to attend the Summit. Registration fee of \$50 includes meals and admission to all sessions.

Water usage will be a topic of discussion in Florida for the foreseeable future as increased population and business make greater demands on the state's rivers, lakes and aquifer. The summit will discuss the concerns of the 12 counties that share the river along its 310 miles and the river's impact on the state as a whole.

Panels featuring experts in several water-related fields will provide the latest scientific, economic and ecological information about the St. Johns River. The summit's purpose is to inform decision makers and the public about the perils and potential the river faces in the next 20 years.

Summit highlights:

River Challenges: Sea Level Rise, Numeric Nutrient Criteria, Springs, Proposed Dredging

Locally Resourceful Tourism for a Sustainable River Economy

New Science: What We Need to Know

Water Conservation

Lessons from Other American Heritage Rivers

Historical, Cultural and Political Issues

Special Funding Session: State and Federal programs

Congress of Local Governments

The first day of the Summit will feature a luncheon with an announcement of the Jim and Linda King Scholarship that assists students pursuing environmental and ecological study of the St. Johns River, information on the St. Johns River license plate and the 2011 St. Johns River calendar.

To learn more about the 2010 St. Johns River Summit, visit www.stjohnsriversummit.com for registration, lodging and program details.



CITY OF JACKSONVILLE, FLORIDA

Stormwater Projects

CURRENT FUNDING SOURCE	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Pay Go		11,300,000	10,727,500	11,888,463	13,032,309
ANTICIPATED FUNDING SOURCE					
Debt Proceeds		4,650,000	50,000,000	25,000,000	25,000,000
Total Per Year	\$ -	\$ 15,950,000	\$ 60,727,500	\$ 36,888,463	\$ 38,032,309

Program Area	Project Name	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
1 Drainage	County Wide Drainage System Rehab		2,510,000	5,000,000	3,650,000	3,650,000
2 Drainage	McCoys Creek Pond Retrofit (Air Liquide)		300,000			
3 Drainage	Country Creek Drainage			600,000	1,000,000	4,400,000
4 Drainage	Crystal Springs Area Drainage		400,000	525,000	2,875,000	
5 Drainage	Hamilton/Jersey Outfall to Roosevelt		300,000	500,000	2,100,000	
6 Drainage	Lasalle Street Outfall		300,000	650,000		6,050,000
7 Drainage	Lavilla/Brooklyn Compensatory Pond (Broward Rd & Smith St)				250,000	2,500,000
8 Drainage	Lower Eastside Drainage - Pond Expansion			1,000,000	3,250,000	
9 Drainage	Lower Eastside Drainage Improvements - Phase 3			600,000	600,000	5,300,000
10 Drainage	McCoy's Creek Pond "C"		150,000	3,250,000		
11 Drainage	Messer Area Drainage		300,000	1,000,000	3,450,000	
12 Drainage	Miruelo Circle Drainage		250,000	550,000	2,000,000	
13 Drainage	Noroad/Lambing Drainage		140,000	200,000	1,060,000	
14 Drainage	Old Plank Road Outfall		300,000	630,000	2,570,000	
15 Drainage	Paul Avenue Outfall			850,000	850,000	
16 Drainage	Avenue B/Zinnia Ave Box Culvert			300,000	300,000	3,000,000
17 Drainage	Stormwater Master Plan/TMDL			1,000,000	1,000,000	
18 Drainage	Silver Street Outfall			300,000	2,650,000	
19 Drainage	TMDL Initiative/River Accord		11,000,000	43,772,500	9,283,463	13,132,309

Total	\$ -	\$ 15,950,000	\$ 60,727,500	\$ 36,888,463	\$ 38,032,309
Surplus (Deficit)	0	0	0	0	0

CITY OF JACKSONVILLE, FLORIDA

CURRENT FUNDING SOURCE	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
Pay Go	2,600,500				
Pay Go=FIN	1,399,500				
ANTICIPATED FUNDING SOURCE					
Pay Go		8,000,000	12,000,000	16,000,000	20,000,000
Debt Proceeds	72,057,308	86,491,750	52,447,750	40,848,000	48,882,000
Grant(s)-FIN	1,399,500	800,000	800,000	800,000	800,000
Tree Mitigation Fund	2,800,000	3,000,000	3,000,000	2,000,000	3,000,000
Historic Preservation	899,500	100,000			
Grand Total Per Year	81,156,308	98,391,750	68,247,750	59,648,000	72,682,000

Program Area	Project Name	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12
1 Environment/Quality of Life	Burke St. Lime Pits		1,000,000	2,000,000		
2 Environment/Quality of Life	Doe Boy Dump Site		2,430,000			
3 Environment/Quality of Life	Gold Merit/Pope Place		12,250,000			
4 Environment/Quality of Life	JAX Ash Sites	1,250,000	19,870,000	20,000,000	20,000,000	20,000,000
5 Environment/Quality of Life	Southside Incinerator Site	2,250,000				
6 Environment/Quality of Life	County Wide Environmental Compliance	250,000	250,000	250,000	250,000	250,000
7 Environment/Quality of Life	Crystal Springs Road Park Contaminated Soil Remediation	500,000				
8 Public Safety	Replacement Fire Station #25 (3 Bay)					3,272,000
9 Public Safety	Replacement Fire Station #26 (3 Bay)	770,000	2,000,000			
10 Public Safety	Restore Funding Fire Station #47					
11 Public Safety	Radio Towers	835,000				
12 Targeted Economic Development	Jacksonville Transportation Center	1,500,000	3,500,000			
13 Targeted Economic Development	Brooklyn Redevelopment		3,000,000	2,000,000	2,000,000	
14 Drainage	Cecil North 100 Acres of New Wetlands	300,000	420,000	310,000	310,000	160,000
15 Parks	ADA Compliance within Parks/Upgrade Parks	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
16 Parks	Bob Hayes/N.E.Community Center	4,269,558	3,850,000			
17 Parks	Alimacani Boat Ramp (FIND)	108,500				
18 Parks	Joe Carlucci (FIND)	97,500				
19 Parks	Castaway Dredge - Phase II (FIND)	600,000				
20 Parks	Intracoastal Waterway Boat Ramp Parking Acquisition (FIND)	600,000				
21 Parks	Lighthouse Marine Boat Ramp (FIND)	108,500				
22 Parks	Metro Park Marina - Lighting, Electric and Water (FIND)	900,000				
23 Parks	Palms Fish Camp (FIND)	234,500				
24 Parks	Sister Creek (FIND)	150,000				
25 Parks	Florida Inland Navigation District (FIND) Projects		1,600,000	1,600,000	1,600,000	1,600,000
26 Parks	Park Capital Projects-Upgrades/Maintenance Repairs	3,000,000				
27 Drainage	County Wide Drainage System Rehab	2,850,000				
28 Drainage	Stormwater Master Plan/TMDL	1,000,000				
29 Drainage	Wills Branch Maintenance Dredging	1,880,000				
30 Environment/Quality of Life	County Wide Hardscape	500,000	500,000	500,000	500,000	500,000
31 Environment/Quality of Life	County Wide Landscape	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
32 Environment/Quality of Life	Countywide, City Maintained St. Johns River Bulkhead, Assessment and Restoration	1,600,000	1,100,000	1,100,000		
33 Environment/Quality of Life	Temporary Storm Debris Site Improvements	100,000	100,000	100,000		
34 Environment/Quality of Life	TMDL Initiative/River Accord	10,000,000				
35 Government Facilities	Ed Ball Building	6,500,000	8,000,000	1,000,000	878,000	3,000,000
36 Government Facilities	Governmental Facilities Capital Maintenance	8,910,000	3,750,000	4,400,000	4,400,000	4,400,000
37 Government Facilities	Haverty's	2,000,000				
38 Government Facilities	Historical Repairs: Snyder Memorial	900,000	100,000			
39 Public Facilities	Northbank Riverwalk Renovations	4,000,000	4,000,000	4,000,000		
40 Public Facilities	Southbank Riverwalk Renovations		2,500,000	2,500,000	2,500,000	2,500,000
41 Roads/Infrastructure/Trans.	11th St. - 12th Street - Venus St. Connector					
42 Roads/Infrastructure/Trans.	8th St. - I-95 to Blvd. Landscaping/Tree Planting Hardscape					
43 Roads/Infrastructure/Trans.	Intersection Improvements, Bridge, Misc Construction	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
44 Roads/Infrastructure/Trans.	Jefferson St. Reconstruction - 8th St. to 10th St.					
45 Roads/Infrastructure/Trans.	Repairs to Coastline Drive and the Riverwalk	1,600,000	1,100,000	1,100,000	1,100,000	
46 Roads/Infrastructure/Trans.	Roadway Resurfacing	14,342,750	14,934,000	15,000,000	14,610,000	20,000,000
47 Roads/Infrastructure/Trans.	San Marco (Naldo to Riverplace)	1,000,000	5,887,750	5,887,750		
48 Roads/Infrastructure/Trans.	Sidewalk Construction and Repair	1,000,000	1,000,000	1,000,000	1,000,000	1,500,000
49 Roads/Infrastructure/Trans.	Signalization/ITS Enhancements	750,000	750,000	1,000,000	1,000,000	1,000,000
50 Public Safety	MCC Prisoner Housing Units				5,000,000	10,000,000
Total		\$ 81,156,308	\$ 98,391,750	\$ 68,247,750	\$ 59,648,000	\$ 72,682,000
Surplus (Deficit)		0	0	0	0	0

2007-2008 ANNUAL BUDGET

CITY OF JACKSONVILLE, FLORIDA

Stormwater Projects



CURRENT FUNDING SOURCE

Stormwater Pay Go	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14
		16,695,000	11,065,000	6,000,000	8,000,000

ANTICIPATED FUNDING SOURCE

Debt Proceeds	11,280,000	14,470,000	19,400,000	14,100,000
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Total Per Year	\$ 11,280,000	\$ 16,695,000	\$ 25,535,000	\$ 25,400,000	\$ 22,100,000
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Dept.	Program Area	Project Name	Estimated Expenditures	Prior Years' Appropriation	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14
1	PW	Drainage	Avenue B/Zinnia Ave Box Culvert	3,600,000			350,000	3,250,000	
2	PW	Drainage	Country Creek Drainage	6,000,000	100,000	250,000	450,000	5,200,000	
3	PW	Drainage	County Wide Drainage System Rehab	32,510,000	2,510,000	6,000,000	6,000,000	6,000,000	6,000,000
4	PW	Drainage	Crystal Springs Area Drainage	3,800,000		75,000	500,000	2,175,000	1,050,000
5	PW	Drainage	Hamilton/Jersey Outfall to Roosevelt	2,900,000	200,000		500,000	2,200,000	
6	PW	Drainage	Lasalle Street Outfall	7,000,000		50,000	750,000	2,500,000	3,700,000
7	PW	Drainage	Lavilla/Brooklyn Compensatory Pond (Broward Rd)	2,750,000	350,000	820,000	1,580,000		
8	PW	Drainage	Lower Eastside Drainage - Pond Expansion	4,250,000	900,000	2,000,000	1,350,000		
9	PW	Drainage	Lower Eastside Drainage Improvements - Phase 3	6,500,000				6,500,000	
10	PW	Drainage	McCoy's Creek Pond "C"	3,400,000	300,000	500,000	2,600,000		
11	PW	Drainage	McCoy's Creek Pond Retrofit (Air Liquide)	1,000,000	465,000	535,000			
12	PW	Drainage	Messer Area Drainage	4,750,000		75,000	1,000,000	425,000	3,250,000
13	PW	Drainage	Miruelo Circle Drainage	2,800,000	100,000	250,000	100,000	2,350,000	
14	PW	Drainage	Noroad/Lambing Drainage	1,400,000		50,000	190,000	1,160,000	
15	PW	Drainage	Old Plank Road Outfall	3,500,000		75,000	450,000	175,000	2,800,000
16	PW	Drainage	Paul Avenue Outfall	1,700,000	425,000	500,000	775,000		
17	PW	Drainage	TMDL Initiative/River Accord (includes trading)	178,638,272	11,000,000	100,000	100,000	100,000	100,000
18	PW	Drainage	MSMP (Master Stormwater Management Plan)	2,000,000				2,000,000	
19	PW	Drainage	New Drainage Improvements	16,000,000					16,000,000
Total			\$ 284,498,272	\$ 16,350,000	\$ 11,280,000	\$ 16,695,000	\$ 25,535,000	\$ 25,400,000	\$ 22,100,000
Surplus (Deficit)					0	0	0	0	0

CITY OF JACKSONVILLE, FLORIDA

PROJECT TITLE:
TMDL Initiative/River Accord

DEPARTMENT:
Public Works

PREVIOUS FUNDING:
\$ 11,000,000

CIE REQUIREMENT:
No

PROJECT COMPLETION DATE:
TBD

BEYOND 5TH YEAR:
\$167,138,272

LEVEL OF SERVICE IMPACT:
Repairs and upgrades to public drainage infrastructure

PROGRAM:
Drainage

Project Description:

Additional Funding for projects listed in the 1997 and 2001 Drainage Bond issues. This funding will be used to offset increase in construction costs while maintaining initial project scope. Also funds projects to reduce nutrient loading into the St. Johns River. The river is the defining attribute of Jacksonville and as such is important to the quality of life and health of its citizens. Nutrient loading reduction will help keep up the river to the benefit of everyone in Jacksonville.

Expenditure Plan:

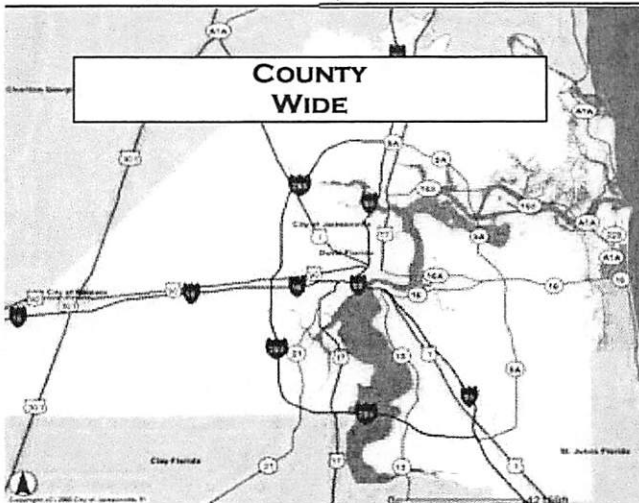
	<u>Total Est Cost</u>	<u>FY 09/10</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>
Project Development						
Engineering/Design						
Land						
Construction	178,638,272	100,000	100,000	100,000	100,000	100,000
Contract Administration						
Total	\$178,638,272	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000

Funding Sources:

	<u>Total Est Cost</u>	<u>FY 09/10</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>
TBD	167,138,272					
Pay Go	4,125,000		100,000	100,000		
Banking Fund-Debt Proceeds	7,375,000	100,000			100,000	100,000
Total	\$178,638,272	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000

Estimated Operating Budget Impact:

	<u>Total Est Cost</u>	<u>FY 09/10</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>
Number of FTE		*				
Wages + Benefits		*				
Utilities		*				
Maintenance		*				
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



*There is no significant additional operating impact as this project is a replacement and/or enhancement to existing capital which can be accommodated within the departments annual budget.

CITY OF JACKSONVILLE, FLORIDA

Dept.	Program Area	Project Name	Total Est. Expenditures	Prior Years' Appropriation	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	Beyond 5th
10	PW	Drainage	Miruelo Circle Drainage	2,800,000	350,000	2,450,000				
11	PW	Drainage	Noroad/Lambing Drainage	1,400,000	50,000	180,000	1,160,000			
12	PW	Drainage	Old Plank Road Outfall	3,500,000	75,000	225,000	1,025,000	2,175,000		
13	PW	Drainage	Paul Avenue Outfall	2,738,731	1,983,731	775,000				
14	PW	Drainage	TMDL Initiative/River Accord (Includes trading)	178,638,272	11,100,000		100,000	100,000	100,000	100,000
15	PW	Drainage	MSMP (Master Stormwater Management Plan) Support	500,000			500,000			
16	PW	Drainage	Sandalwood Canal	9,375,338	9,274,338	101,000				
17	PW	Drainage	Pine forest/Larsen Acres	5,882,478	5,052,478	830,000				
18	PW	Drainage	Lincoln Villas Phase II	7,730,000	7,105,000	625,000				
19	PW	Drainage	Bunche Road Pond (Cleveland Road)	1,800,000			1,600,000			
20	PW	Drainage	Bay Street Bridge - Hogan's Creek Downstream	1,000,000			1,000,000			
21	PW	Drainage	New Stormwater Improvements	25,383,714				3,330,000	11,650,000	10,403,714
22	PW	Drainage	Septic Tank Phase Out	2,000,000		2,000,000				
23	PW	Drainage	Stormwater Management Plans - Alternative (LID)	1,968,674		1,968,674				
Total			\$ 284,498,272	\$ 16,350,000	\$ 20,663,674	\$ 25,535,000	\$ 25,358,000	\$ 21,700,000	\$ 18,503,714	\$ 187,138,272
Surplus (Deficit)					0	0	0	0	0	0

*Effective July 1, 2008 established a \$5 per month stormwater service charge to provide effective management and financing of stormwater management and drainage projects throughout the city.

PROJECT TITLE:
SW 14. TMDL Initiative/River Accord

DEPARTMENT:
Public Works

CIE REQUIREMENT:
No

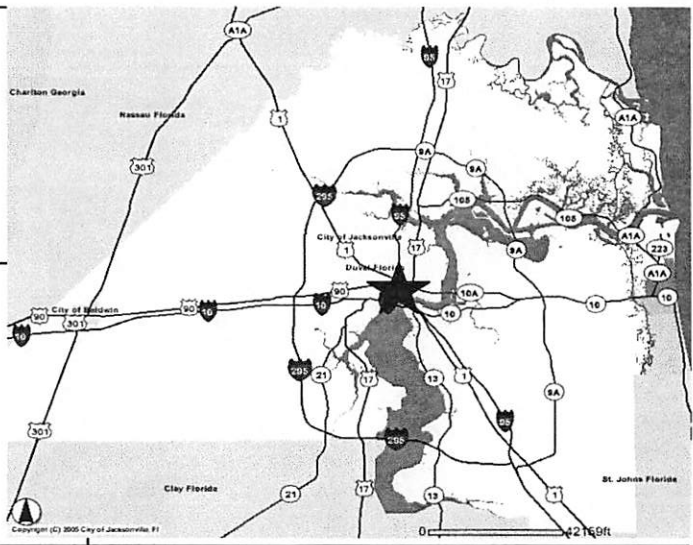
PROJECT COMPLETION DATE:
TBD

LEVEL OF SERVICE IMPACT:
Repairs and upgrades to public drainage infrastructure

PROGRAM:
Drainage

Project Description:

Additional Funding for projects listed in the 1997 and 2001 Drainage Bond issues. This funding will be used to offset increase in construction costs while maintaining initial project scope. Also funds projects to reduce nutrient loading into the St. Johns River. The river is the defining attribute of Jacksonville and as such is important to the quality of life and health of its citizens. Nutrient loading reduction will help keep up the river to the benefit of everyone in Jacksonville.



Expenditure Plan:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>Beyond 5th</u>
Project Development								
Engineering/Design								
Land								
Construction	178,638,272	11,100,000		100,000	100,000	100,000	100,000	167,138,272
Contract Administration								
Total	\$178,638,272	\$ 11,100,000	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$167,138,272

Funding Sources:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>Beyond 5th</u>
TBD	167,138,272							167,138,272
Pay Go	4,225,000	3,925,000		100,000	100,000	100,000		
Banking Fund-Debt Proceeds	7,275,000	7,175,000					100,000	
Total	\$178,638,272	\$ 11,100,000	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$167,138,272

Estimated Operating Budget Impact:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>Beyond 5th</u>
Number of FTE								
Wages + Benefits								
Utilities								
Maintenance								
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CITY OF JACKSONVILLE, FLORIDA

PROJECT TITLE:
SW 10. TMDL Initiative/River Accord

DEPARTMENT:
Public Works

PROGRAM:
Drainage

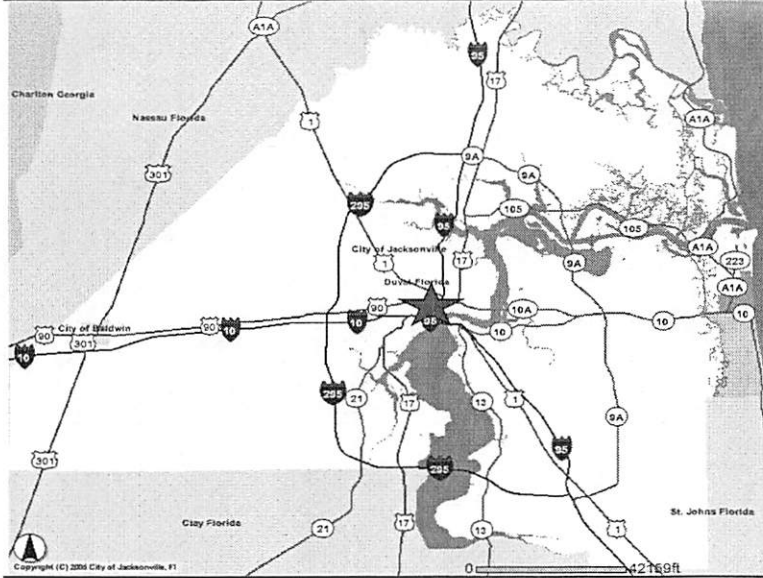
CIE REQUIREMENT:
No

PROJECT COMPLETION DATE:
TBD

PROJECT NUMBER:
PWCP462SD-PW0676-01

PREVIOUS FUNDING:
\$11,100,000

BEYOND 5TH YEAR FUNDING:
\$167,138,272



Project Description:
Additional Funding for projects listed in the 1997 and 2001 Drainage Bond issues. This funding will be used to offset increase in construction costs while maintaining initial project scope. Also funds projects to reduce nutrient loading into the St. Johns River. The river is the defining attribute of Jacksonville and as such is important to the quality of life and health of its citizens. Nutrient loading reduction will help keep up the river to the benefit of everyone in Jacksonville.

Level of Service Impact:
Repairs and upgrades to public drainage infrastructure.

Expenditure Plan:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>FY 15/16</u>
Project Development							
Engineering/Design							
Land							
Construction	178,238,272	11,100,000					
Contract Administration							
Total	\$178,238,272	\$ 11,100,000					

Funding Sources:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>FY 15/16</u>
TBD	167,138,272						
Pay Go	3,925,000	3,925,000					
Banking Fund-Debt Proceeds	7,175,000	7,175,000					
Total	\$178,238,272	\$ 11,100,000					

Estimated Operating Budget Impact:

	<u>Total Est Cost</u>	<u>Prior Yrs Funding</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>FY 14/15</u>	<u>FY 15/16</u>
Number of FTE							
Wages + Benefits							
Utilities							
Maintenance							
TOTAL							

Estimated Operating Budget Statement:

This is a capital maintenance allocation and will fund repairs and/or replace public drainage infrastructure through the City of Jacksonville. There is no estimated impact on the operating budget.

2011-2012 ANNUAL BUDGET

Dept	Program Area	Project Name	Total Est	Expenditures	Prior Years	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	Beyond 5th
1 PW	Drainage	Avenue/Brama Ave Box Culvert	2,350,000	1,000,000	1,350,000						
2 PW	Drainage	Country Creek Drainage	6,000,000	600,000	1,000,000	2,000,000	2,000,000	2,400,000	6,000,000	4,606,683	
3 PW	Drainage	County Wide Drainage System	114,938,242	88,331,559	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	4,606,683	
4 PW	Drainage	Crystal Springs Area Drainage	3,800,000	300,000	800,000	2,700,000					
5 PW	Drainage	Hammonton/Jervey Outfall to Roosevelt	4,908,100	1,151,100	3,755,000						
6 PW	Drainage	Lower Eastside Drainage - Pond Expansion	5,346,000	100,000	4,520,000	726,000					
7 PW	Drainage	Master Area Drainage	4,750,000	300,000	900,000	3,550,000					
8 PW	Drainage	Norwood/Lambing Drainage	1,400,000	240,000	1,160,000						
9 PW	Drainage	Old Plank Road Outfall	3,500,000	300,000	1,025,000	2,175,000					
10 PW	Drainage	TMDC Inhab/River Accord (includes trading)	167,731,316	693,044							167,038,272
11 PW	Drainage	MSMP (Master Stormwater Management Plan) Support	500,000		500,000						
12 PW	Drainage	Buncho Road Pond (Chewland)	1,600,000		1,600,000						
13 PW	Drainage	Bay Street Bridge - Hogan's Creek Road)	1,000,000		1,000,000						
14 PW	Drainage	Septic Tank Phase Out	17,000,000	3,782,688	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000		3,000,000
15 PW	Drainage	Lincoln Vistas Phase II	8,430,000	7,730,000	700,000						
16 PW	Drainage	Alternative Stormwater Management Plans (LID)	6,968,674	1,968,674	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000		2,000,000
17 PW	Drainage	New Stormwater Improvements	13,886,540		650,000	7,979,310	5,257,230				
18 PW	Drainage	Stormwater Project Development & Feasibility Studies	500,000		250,000						
Total			\$ 364,606,872	\$ 107,427,068	\$ 27,060,000	\$ 22,301,000	\$ 20,629,310	\$ 15,257,230	\$ 4,606,683	\$ 172,038,272	0
Surplus (Deficit)			0	0	0	0	0	0	0	0	0

STORMWATER	Current Funding Source	Stormwater Pay Go	Debt Proceeds	Total Per Year		
	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	Beyond 5th
	9,554,053	7,704,076	6,529,310	5,257,230	4,606,683	
	17,505,947	14,596,924	14,100,000	10,000,000		
	\$ 27,060,000	\$ 22,301,000	\$ 20,629,310	\$ 15,257,230	\$ 4,606,683	0

CITY OF JACKSONVILLE, FLORIDA

2013 Annual River Accord Report Snapshot

The River Accord is a Partnership for the St. Johns, a 10-year, \$700 million initiative to begin restoring the health of the Lower St. Johns River Basin. This is a summary of the 6th year of the Accord.

Based on decades of research about river restoration programs, the Accord committed to reduce the amount of nitrogen discharged into the river by:

- Phasing out older technology wastewater treatment plants;
- Improving other wastewater treatment plants and building pipelines necessary to reuse treated wastewater for irrigation of lawns, parks, and golf courses;
- Eliminating failing septic tanks;
- Capturing and treating stormwater before it enters the river.

In addition to specific efforts to reduce nitrogen discharges into the river, The River Accord has four general areas of interest (AOI):

- Program accountability
- Improving water quality
- Tracking the river's sedimentation
- Improving public access to the river

AOI #1: PROGRAM ACCOUNTABILITY

The River Accord features a steering committee composed of representatives from partnering agencies which meets quarterly and produces The River Accord Annual Status Report on construction, regulation and outreach. An independent State of the River Report, by the University of North Florida and Jacksonville University describes the health of the river ecosystem biologically and chemically.

AOI #2 IMPROVING WATER QUALITY

Wastewater Upgrades

To date, SJRWMD has contributed \$50 million toward wastewater reductions at basin utilities:

Clay County Utility Authority — \$30.7 million. Project will redirect water from the Miller Street wastewater treatment plant and the town of Orange Park to the high-growth area to the west. These projects will reduce the amount of total nitrogen discharged to the St. Johns River by an estimated 107,396 lbs./yr.

City of Palatka – Wastewater Treatment Facility (WWTF) project in the freshwater reach was completed with a reduction of 4,774 kilograms per year (kg/yr) of TP and 21,844 kg/yr of TN. ,600 lbs/yr. and phosphorous reductions are estimated to be 21,100 lbs./yr.

Town of Orange Park — \$5.5 million. Project includes upgrades to the existing wastewater treatment plant, which will allow for expanded use of reclaimed water for use on parklands and commercial lands. The expected average annual nitrogen reduction to the river is 47,940 pounds.

St. Johns County — \$8.3 million. Project will be to install a trunk line to support a planned unit development in which the developer will be required to install a dual water line system. The project is anticipated to reduce nutrient loadings to the river by 10,000 lbs./yr. at build-out.

Neptune Beach — \$2.3 million. Wastewater treatment improvements to advanced secondary nutrient reduction standards and installation of facilities to provide reclaimed wastewater to municipal properties. This work will reduce total nitrogen entering the river by 17,380 lbs./yr.

City of Atlantic Beach — Wastewater project was completed in the marine reach for a total reduction of 22,119 (kg/yr) of TN.

City of Jacksonville Beach — \$15 million. This wastewater treatment project will improve the city's discharge to advanced wastewater treatment standards. Nutrients (nitrogen) removed from the river per year: 65,000 pounds.

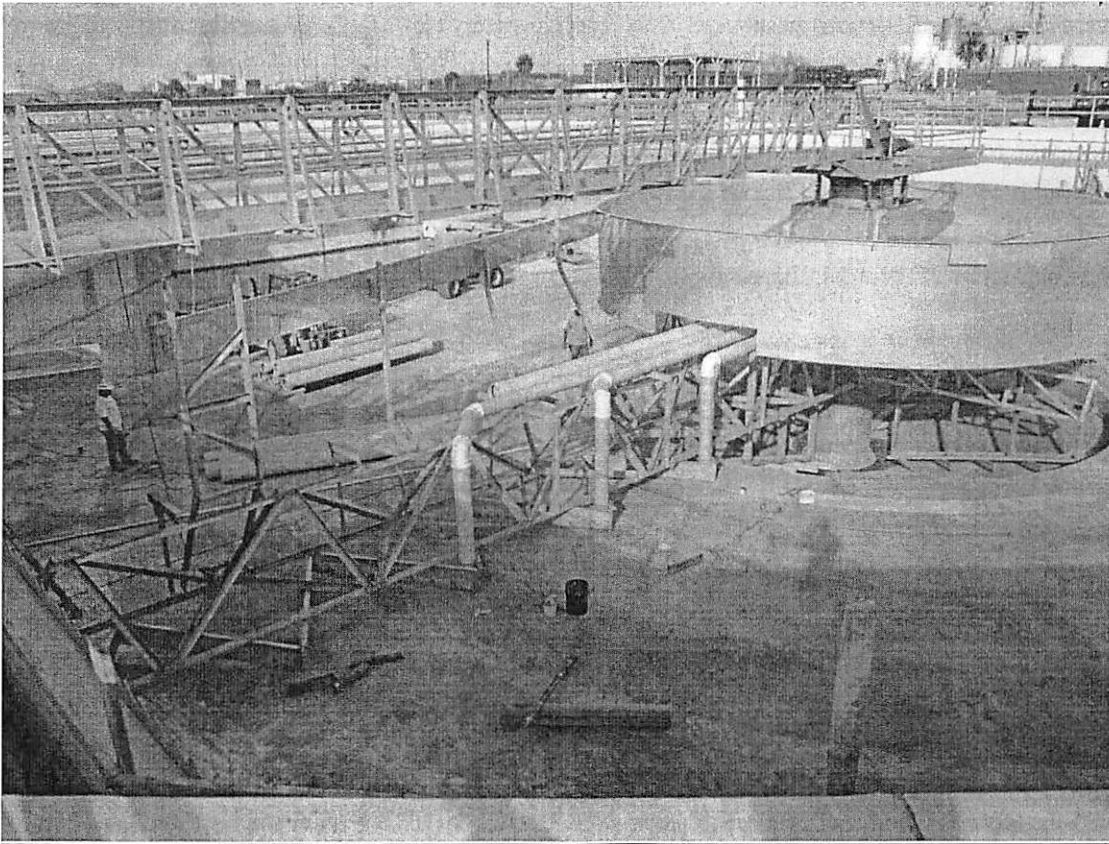
JEA is in the last phase of construction of numerous committed wastewater treatment related projects totaling over \$150 million. The final treatment project, a \$22 million improvement to the Buckman regional treatment plant and the last of 5 phase-outs of older technology plants should be completed by the end of this year. Once complete, the total projects are expected to result in a total reduction of over 1,600,000 lbs./yr of total nitrogen entering the River.

City of Atlantic Beach – Wastewater project was completed in the marine reach for a total reduction of 22,119 (kg/yr) of TN.

Wastewater Reuse

NAS Jacksonville (U.S. Navy) — \$4.2 million. This project will remove all discharge from the river and apply it to reuse sites on the military base. Discharge of 44,525 lbs./yr. of total nitrogen eliminated. Status: Phase 1 in progress. NAS Jacksonville is aiming to reuse 100 percent of its wastewater thereby eliminating the need to withdraw approximately 37 million gallons per year of potable water from the Florida aquifer and 315 million gallons annually of treated wastewater to the St. Johns River by the end of 2014.

JEA. has completed 168 miles of reclaimed water lines. JEA placed into service this year a \$2 million project to provide an additional 2-3 MGD of reclaimed water from the District II wastewater plant to our power generating facilities at Northside and St. Johns River Power Park.



Buckman upgrades

Nonpoint Source Successes

There have been many successes in Accord implementation and pollutant reduction during the year:

- WSEA and JEA extended sewer lines to phase out septic tanks in Oakwood Villas Phase 2 and Lincoln Villas Estates Phase 1, using \$12 in state funding. The majority of the homes in the area will be connected by 2014. One municipal separate storm sewer system (MS4) project was completed in the marine reach for a reduction of 5,533 (kg/yr) of TN.
- The Waste Water Treatment Facilities (WWTFs) and MS4s in the fresh-water reach have achieved their portion of the TN and TP required reductions. Those reductions are reflected below:
 - WWTF Progress Towards the TP Freshwater TMDL has a reflected reduction of 94,895 lbs/yr TP.
 - WWTF Progress Towards the TN Freshwater TMDL has a reflected reduction of 372,000 lbs/yr TN.
 - MS4 Progress Towards the TP Freshwater TMDL has a reflected reduction of 537 lbs/yr TP.
 - MS4 Progress Towards the TN Freshwater TMDL has a reflected reduction of 2,300 lbs/yr TN.

Duval County Health Department (DCHD) Septic Tank Enforcement

During the course of this project, DCHD provided monthly progress reports to FDEP which indicate a total of

3,269 sites were investigated. It was discovered that approximately 150 of the properties inspected were connected to a centralized sewerage system and were forwarded to JEA for further review. It was also determined that approximately 207 of the parcels were vacant property and 46 property owners refused access to DCHD inspectors. 64 property owners received an official notice due to violations discovered during the project period. Violations included a variety of sanitary nuisance conditions such as direct laundry discharge and sewage on the ground surface, unsealed and broken septic tank lids, damaged drainfields, collapsed septic tanks, plumbing back-up and illicit discharge pipes. Enforcement continued until all sanitary nuisances were corrected.

The outreach and education provided as part of this project increased public awareness of the many nutrient (i.e. TN and TP) and fecal coliform sources and their impacts on water quality. The effects of such awareness should result in an increased number of homeowners having their septic systems pumped out and inspected on a regular basis, more efficient water usage, a decrease in hazardous chemicals being discarded into septic systems, and better maintenance of septic systems in general. It is expected that these effects will be observed long after the end of this project which should aid in further reductions of fecal coliform bacteria from septic systems.

Agricultural Projects

The SJRWMD has constructed two regional stormwater treatment (RST) facilities in the Tri-County Agricultural Area (Putnam, St. Johns, and Clay counties) to capture runoff from agricultural watersheds and remove nutrients prior to discharging to tributaries leading to the river. The areas each have filled with water to make wetlands and a deep pond, which filter pollutants from the rain and irrigation runoff from the agricultural farms before they flow into the St. Johns River.

County is utilizing state funding (with the assistance of the SJRWMD) to develop an additional agricultural runoff treatment facility near Hastings, Fla. This facility will treat 1,425 acres of agricultural runoff also draining to Deep Creek.

Additionally, FDACS, FDEP and the SJRWMD have initiated a program in conjunction with the TCAA growers and other stakeholders to cost share the implementation of certain BMPs. This program, named the TCAA Water Management Partnership is being led by FDACS with funding support of \$1.5 million from the SJRWMD and approximately \$3.5 million from the FDEP., plus an additional \$75,000 from the State in 2011.

Irrigation

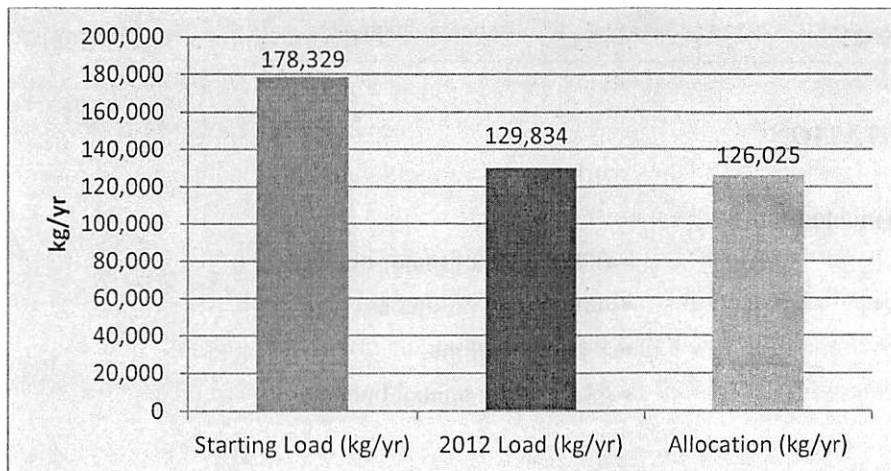
Since March 2009, SJRWMD limits irrigation to 2 days/week during DST and one day during EST. COJ also enforces watering restrictions in Duval County.

Other BMAP Progress

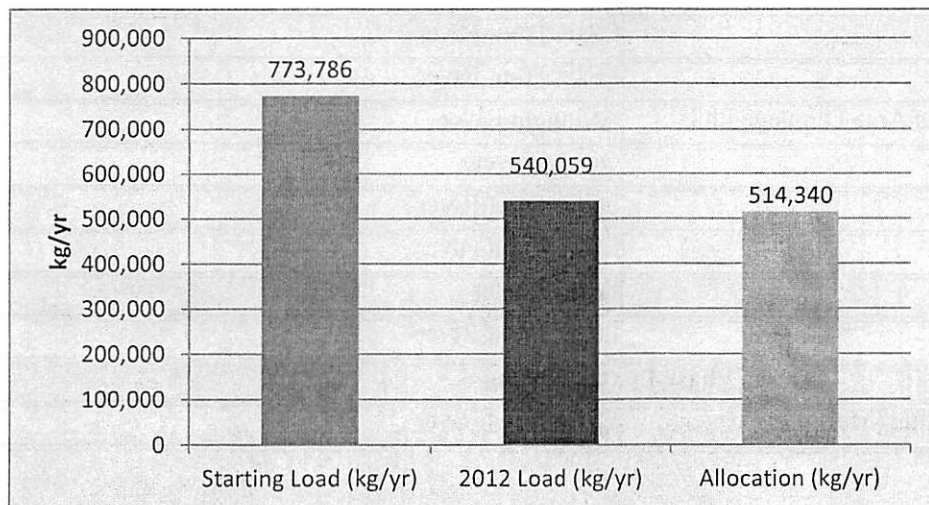
The fifth annual BMAP progress report will encompass the period of January 1, 2013 through December 31, 2013. During this time,

- The City of Jacksonville Beach will complete the upgrades to their WWTF
- JEA will complete the Royal Lakes WWTF phase out, San Jose WWTF phase out, Buckman WWTF process improvements, and the reuse expansion projects in the marine reach.
- The City of Jacksonville will continue to phase-out septic tanks and design stormwater projects to meet their marine reach MS4 allocation, or pursue alternate projects or water quality credit trades.
- The City of Palatka will start construction on their stormwater treatment project in the freshwater reach.
- Camp Blanding will complete the maintenance and repair of their swales in the marine reach.
- FDACS will continue to enroll agricultural producers in BMP programs.

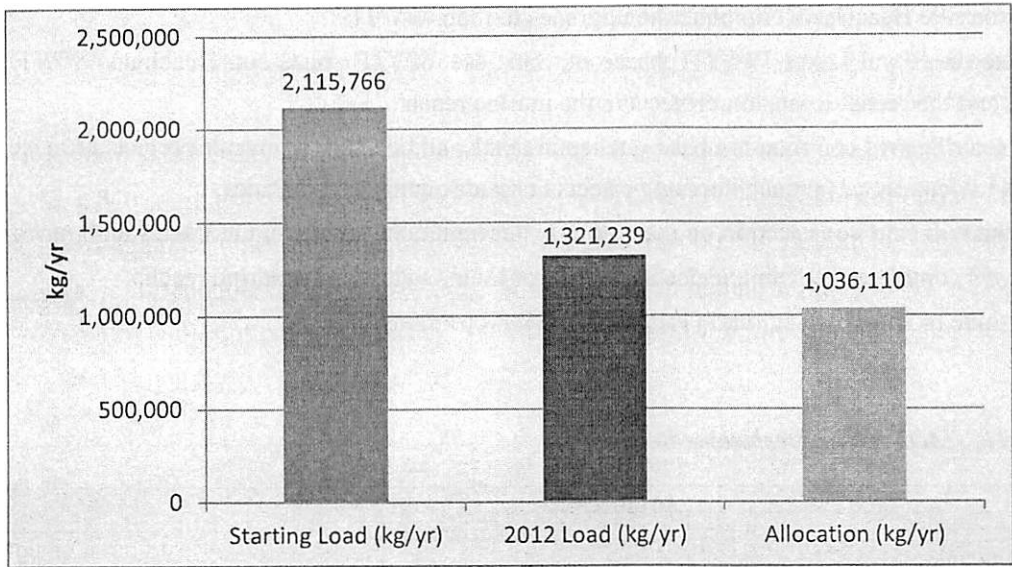
Progress Towards the TP TMDL in the Freshwater Reach:



Progress Towards the TN TMDL in the Freshwater Reach



Progress Towards the TN TMDL in the Marine Reach



AOI #3 TRACKING SEDIMENTATION

COJ Stormwater Utility attributes include:

- 840 sq miles
- 44,000 Catch Basins/Inlets
- 7500 Manholes
- 1000 miles of pipe
- 134 ponds
- 2000 miles of major outfalls
- 4000 miles of ditches
- 8 pump stations
- \$15 million annual budget

Construction Projects	
Completed	
Melba/Green Street	LSJR Trout River
Smith Broward Pond	LSJR Trout River
Woodland Acres/Oakwood Villa Area Drainage Ph I	Arlington River
Hugh Edwards Road Drainage	Ortega River
Pine Forest/Larsen Acres	LSJR Trout River
Upper Deer Creek Phase 3	LSJR Trout River
Venetia Terrace Drainage	Ortega River
McCoy's Creek Pond C	LSJR Trout River
Phase I Completion	
Newtown Drainage main trunkline (Myrtle & Beaver)	LSJR Trout River

Under Construction	
Air Liquide Pond Retrofit	LSJR Trout River
Miruelo Circle	LSJR Trout River
City-Wide Drainage System Rehabilitation	LSJR - Countywide
Paul Avenue Outfall	LSJR Trout River
Design	
Hamilton Jersey Outfall – in progress	LSJR Trout River
Pinedale Area – in progress	Ortega River
Country Creek Area Drainage Improvements - Pending	Ortega River
Avenue "B"/Zinia Outfall	Trout River
Crystal Springs Area	Ortega River
Bunche Rd. Drainage	Ortega River
Noroad/Lambing Drainage	Ortega River
Mandarin Area Drainage (Grand Cirque)	LSJR Upstream of Trout River
County Creek Area	Ortega River
Messer Area Drainage	LSJR
Septic Tank Phase-Out	LSJR

Erosion and Sediment Enforcement

SJRWMD and COJ both inspect complaints of erosion and sedimentation from construction sites. There were 6 enforcement cases last year in Duval County.

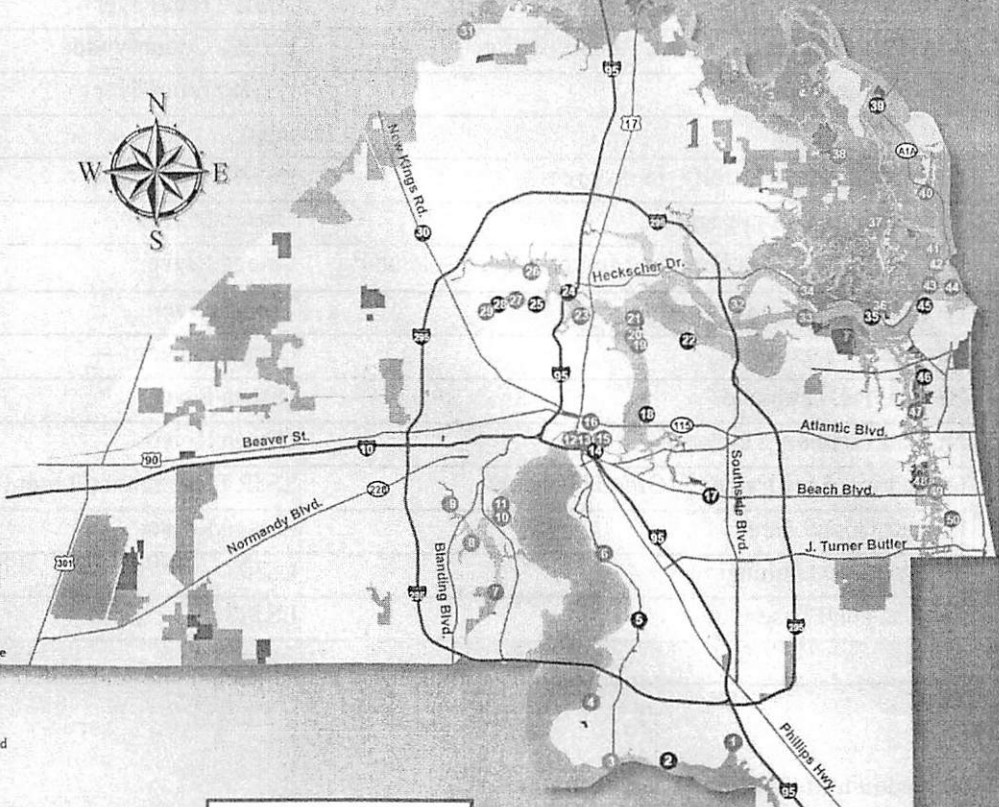
AOI #4 IMPROVING PUBLIC ACCESS

The River Accord, along with its Preservation Project partners, continues working to improve public access to the St. Johns River and its tributaries. Below is a map showing current public access areas with the past year's improvements described in the text which follows. More information is available at www.JaxParks.com

JaxParks Water Access Map

A Feature of the Mayor's People+Parks Connection

- 1 Palmetto Leaves Park, 13799 Old St. Augustine Road
- 2 Hood Landing, 12804 Hood Landing Road
- 3 Mandarin Park, 14780 Mandarin Road
- 4 County Dock, 2403 County Dock Road
- 5 Goodby's Lake, 9021 San Jose Blvd.
- 6 Nathan Krestul Park, 2001 LaVaca Road
- 7 Ringbaver Park, 5198 118th St.
- 8 Wayne B. Stevens, 4555 Ortega Farms Blvd.
- 9 Curtis Lee Johnson Marina Park, 5434 San Juan Ave.★
- 10 Seminole Park, 4170 McGirts Blvd.★
- 11 Stinson Park, 4050 San Juan Ave.
- 12 St. John's Marina, 901 Museum Circle
- 13 Southbank Riverwalk, Water taxi dock near Chart House
- 14 Bee Street Park, Bee St. and Utah Ave.★
- 15 Metro Park Marina, 4110 Gator Bowl Drive
- 16 Catherine Street, north end of Catherine St.★
- 17 Pottsburg Creek/Beach Boulevard, 8540 Beach Blvd.
- 18 Arlington Road, 5103 Arlington Road
- 19 Blue Cypress Park, 4012 University Blvd. N.
- 20 Arlington Lions Club Park, 4322 Richard D. Gatlin Road
- 21 Reddie Point Preserve, 4499 Yachtsman Way
- 22 Lonnie Wurn, 4131 Ferber Road
- 23 North Shore Park, 7901 Pearl St.
- 24 Bert Maxwell, 680 Broward Road
- 25 T.K. Stokes, 2120 Riverview Ave.
- 26 Riverview Park, 9620 E. Water St.
- 27 Ribault River Preserve, 2617 Ribault Scenic Drive
- 28 Harborview, 4100 Harbor View Drive
- 29 Charles Reese Memorial Park, 1200 Ken Knight Drive★
- 30 Dinsmore, 11001 New Kings Road
- 31 Thomas Creek Preserve, 17198 Ethel Road★
- 32 New Berlin, 9002 Frederick St.★
- 33 Fulton Road Landing, 5099 Fulton Road★
- 34 Palms Fish Camp, 6359 Heckscher Drive
- 35 Joe Carlucci, 8414 Heritage River Road
- 36 Sister's Creek Marina/Jim King Park, 8203 Heckscher Drive
- 37 Cedar Point Preserve, 9023 Cedar Point Road
- 38 Pumpkin Hill Creek Preserve, 13990 Pumpkin Hill Road
- 39 Big Talbot Island State Park, 15500 Heckscher Drive
- 40 Kayak Amelia, 13030 Heckscher Drive
- 41 Fort George Island (Ribault Club), 11241 Fort George Road
- 42 Alimacani, 11080 Heckscher Drive
- 43 Haulover Creek, 10980 Heckscher Drive★
- 44 Huguenot Memorial Park, 10980 Heckscher Drive
- 45 Mayport (Michael B. Scanlon), 4870 Ocean St.
- 46 Oak Harbor, 2428 Seaway St.
- 47 Dutton Island Preserve, end of Dutton Island Drive
- 48 Castaway Island Preserve, 2921 San Pablo Road S.
- 49 Intracoastal Waterway, 2510 2nd Ave. N.★
- 50 Cradle Creek Preserve, 15th St. South & Fairway Lane



KEY:

- Motorized watercraft
- Non-motorized watercraft
- Motorized and non-motorized
- ★ Star shape indicates newly-designated kayak launch site

Michael B. Scanlan Mayport Boat Ramp

- Completed design for expanding this heavily used boat ramp in Mayport. The project will result in doubling the floating docks and adding one launch lane. Construction is now pending.

Ortega River Channel Markers

The Ortega River is a popular waterway with boat traffic and boat moorings. Some boats are currently moored within the unmarked channel thus resulting in navigation challenges and potential hazards. The City has taken the following steps in the past year:

- Completed the design and permitting for channel markers and mooring buoys within the Ortega River which involved hydrographic surveys, public meetings and obtaining a submerged land lease from the State.
- Applied for a FIND grant to install eight new channel marker buoys and replace three existing buoys within the Ortega River.



Boat moorings within channel of Ortega River.

St. Johns River Blueway/Exchange Club Island Park

- Supporting the St. Johns River Alliance's request to the State to officially designate the entire 310-mile river as a paddling trail or "blueway." Designation will lead to economic development of nature-based tourism for communities along the river.
- As a component of the blueway effort, the City has been working with the National Park Service to develop a conceptual plan for Exchange Club Island Park, located under the Matthews Bridge. A public workshop was held to solicit input and a FIND grant has been submitted for design/permitting of a small floating dock, a kayak landing area, two picnic shelters and a nature trail on the island.



Exchange Club Island Park

DEP grant for Bakersfield Drive

- Awarded a grant from DEP to develop a professional design to restore a few vacant properties, which the city obtained from FEMA along Bakersfield Drive, to a functional riparian wetland to improve localized

flood management, water quality and wildlife habitat. The project will also involve the development of a new kayak launch at this site.

2013 Greater Jacksonville Kingfish Tournament

- Successfully completed another year of the Greater Jacksonville Kingfish Tournament, the largest of its kind in the country. The main tournament included 208 boats. Youth participation included 164 junior anglers in the Off-Shore Tournament, 97 in the Dock Tournament and an additional 56 children were introduced to fishing in partnership with JaxParks Summer Camp program.

Greater Jacksonville Paddling Guide

Developed a new paddling guide in partnership with the Public Trust Environmental Legal Institute of Florida. The guide covers the St. Johns River from Julington Creek to the Trout River and identifies all public canoe/kayak launches, points of interest, caution areas and provides recommendations for paddling routes. The guide is available for download at www.GreaterJacksonvillePaddlingGuide.org

