



**AMENDED/AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
MARCH 7, 2017
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE / INVOCATION**
Invocation by Reverend Ed Coop, Sr. of Joy Ministries Church.
- 4. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA**
- 5. CONSENT AGENDA**
 - 5.1. **APPROVAL OF MINUTES** - *Regular Meeting - December 6, 2016; Visioning Workshop - December 14, 2016; and Regular Meeting - January 3, 2017.*
 - 5.2. **FACILITIES USE AGREEMENT - DRIVING DYNAMICS, INC.** - RESOLUTION 2017-31 APPROVING A FACILITIES USE AGREEMENT WITH DRIVING DYNAMICS, INC. FOR THE USE OF AIRPORT PROPERTY TO CONDUCT DEFENSIVE DRIVER SAFETY TRAINING; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Facilities Use Agreement with Driving Dynamics, Inc. for defensive driver training at the Fernandina Beach Municipal Airport.*
 - 5.3. **DISPOSAL OF SURPLUS PROPERTY** - RESOLUTION 2017-32 DECLARING CERTAIN TITLED CITY PROPERTY SURPLUS; AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID PROPERTY IN A MANNER CONSISTENT WITH THE CITY'S POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Declares certain property as surplus, and authorizes the disposal of such.*
 - 5.4. **FACILITIES USE AGREEMENT - FLORIDA ARMY NATIONAL GUARD** - RESOLUTION 2017-33 APPROVING A FACILITIES USE AGREEMENT FOR THE 2-111TH REGIMENT, AIRFIELD OPERATIONS BATTALION, FLORIDA ARMY NATIONAL GUARD TO PROVIDE LOCAL AIRPORT ADVISORY SERVICES DURING THE 2017 AMELIA ISLAND CONCOURSE D'ELEGANCE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Facilities Use Agreement for the 2-111th Regiment, Airfield Operations Battalion, Florida Army National Guard to provide local Airport advisory services at the Fernandina Beach Municipal Airport during the 2017 Amelia Island Concourse d'Elegance.*
- 6. RESOLUTIONS**

- 6.1. **BUDGET AMENDMENT - POLICE DEPARTMENT - RESOLUTION 2017-34** APPROVING AN AMENDMENT TO THE POLICE DEPARTMENT LAW ENFORCEMENT RECOVERY FUND BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a budget transfer of \$8,000 from the Law Enforcement Recovery Fund capital account to the Non Capital Equipment account.*
- 6.2. **BUDGET AMENDMENT – POLICE DEPARTMENT - RESOLUTION 2017-35** APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a transfer of \$40,000 from the General Fund Contingency account to the Police Improvement account.*
- 6.3. **TASK ORDER 2017-01 APPROVAL - OLSEN ASSOCIATES, INC. & BUDGET AMENDMENT - RESOLUTION 2017-36** APPROVING TASK ORDER #2017-01 WITH OLSEN ASSOCIATES, INC. FOR THE NASSAU COUNTY SHORE PROTECTION ALTERNATE RENOURISHMENT PROJECT; AUTHORIZING EXECUTION; APPROVING A BUDGET AMENDMENT FOR UNANTICIPATED GRANT REVENUE AND BEACH CONSTRUCTION PAYMENTS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Task Order #2017-01 with Olsen Associates, Inc. for coastal engineering services for the Nassau County Shore Protection Project. Also approves an amendment to the Fiscal Year 2016/2017 budget by transferring \$10,000 to the Beach Renourishment account from the Capital Improvement Reserve account.*
- 6.4. **QUALIFYING DATES FOR THE 2017 CITY GENERAL ELECTION - RESOLUTION 2017-37** APPROVING AND SETTING THE QUALIFYING DATES FOR THE NOVEMBER 7, 2017 CITY GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Sets the Qualifying Dates for the November 7, 2017, City General Election to begin on July 10, 2017, and end on July 14, 2017.*
- 6.5. **OPPOSE FLORIDA HOUSE BILL 17 - RESOLUTION 2017-38** OPPOSING FLORIDA HOUSE BILL 17 (HB 17) AND ANY SIMILAR OR SUBSTITUTE LEGISLATION THAT WOULD PREEMPT THE LOCAL REGULATION OF BUSINESSES, PROFESSIONS AND OCCUPATIONS TO THE STATE BY PROHIBITING LOCAL GOVERNMENTS FROM IMPOSING OR ADOPTING CERTAIN ORDINANCES, REGULATIONS, RULES LICENSES, PERMIT OR OTHER REQUIREMENTS, INCLUDING ASSOCIATED FEES; OPPOSING ANY STATE LEGISLATION THAT WOULD PREEMPT AND REPEAL BY OPERATION OF STATE LAW ANY EXISTING LOCAL REGULATIONS; OPPOSING ANY STATE LEGISLATION THAT WOULD LIMIT LOCAL GOVERNMENTS IN MODIFYING OR IMPOSING ADDITIONAL REGULATIONS ON BUSINESSES, PROFESSIONS AND OCCUPATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Opposes Florida House Bill 17 (HB 17).*

7. ORDINANCE - FIRST READING

- 7.1. **PAY & CLASSIFICATION PLAN AMENDMENT - ORDINANCE 2017-07** ESTABLISHING AN AMENDED CLASSIFICATION PLAN FOR FISCAL YEAR 2016/2017, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Pay and Classification Plan for FY 2016/2017.*

8. BOARD APPOINTMENT

- 8.1. **FERNANDINA BEACH HOUSING AUTHORITY - 1 appointment.**

9. CITY MANAGER REPORTS

10. CITY ATTORNEY REPORTS
11. CITY CLERK REPORTS
12. MAYOR/COMMISSIONER COMMENTS
13. ADJOURNMENT

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A "REQUEST TO SPEAK" FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
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Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: **Approval of Minutes**

ITEM TYPE: Consent Agenda

REQUESTED ACTION: Approve minutes as submitted.

SYNOPSIS:

The following minutes are attached for the City Commission's review and consideration for approval:

TYPE OF MEETING	DATE
Regular Meeting	12/6/16
Visioning Workshop	12/14/16
Regular Meeting	1/3/17

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager Date: 2/20/2017

COMMISSION ACTION: Approve

The City Commission of the City of Fernandina Beach, Florida met in a Regular Meeting on Tuesday, December 06, 2016 at 6:00 pm in the City Commission Chambers. Present were Mayor Robin C. Lentz presiding, Commissioners John A. Miller, Roy G. Smith, Tim Poynter and Vice Mayor Kreger. Also present were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag. The invocation was then given by Reverend Jeremiah Robinson of New Zion Baptist Church.

4.1 PROCLAMATION – NASSAU COUNTY SHERIFF’S DEPUTY ERIC J. OLIVER: Mayor Lentz read the Proclamation in full honoring fallen Nassau County Sheriff’s Deputy Eric J. Oliver. She presented a copy to Mr. Doug Oliver, father of Deputy Eric J. Oliver and two of Deputy Oliver’s brothers; Tommy and Steven. Mr. Doug Oliver commented it’s been a rough two weeks for the community and for his family. They are thankful for the love and support the public has shown them and to our local law enforcement family. He encouraged people to thank law enforcement officers whenever they see them and thanked the City of Fernandina Beach for recognizing and honoring their loved one.

4.2 PROCLAMATION – RETIREMENT OF MS. GAYLE MURRAY: Mayor Lentz read the Proclamation in full recognizes Ms. Gayle Murray, upon her retirement after twelve years and five months of dedicated service to the City of Fernandina Beach. Utilities Director John Mandrick was present to accept the Proclamation on behalf of Ms. Murray. He thanked her for her service and stated she would be severely missed and is welcome to return at any time.

4.3 PRESENTATION - THIOKOL MEMORIAL NATIONAL PARK INITIATIVE: Ms. Jannie Everette provided a presentation regarding the Thiokol Memorial National Park (TMP) Initiative. Ms. Everette thanked the City of Fernandina Beach for quickly responding over forty five years ago to the catastrophic emergency at the Thiokol Manufacturing Plant in Woodbine, Georgia. Ms. Everette went on to explain that funding and memorabilia is needed to construct the Thiokol Memorial National Park in honor of those that lost their lives as a result of the explosion and to memorialize the tragedy that shaped Camden County’s history. The park will be home to a monument, museum and education center to preserve the artifacts of the fourteen responding jurisdictions, to preserve the stories of the workers, to provide history lessons to grade school students, case study for law school students and emergency response training for future fire personnel and law enforcement students. Ms. Everette requested memorabilia from the Fernandina Beach Fire Department for inclusion in the Thiokol Museum and education center.

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEM ON THE CONSENT AGENDA:

THIOKOL EXPLOSION: Mr. Kevin McCarthy, 2220 Florida Avenue, commented that as a young man he was working at what was then called Container Corporation when the Thiokol Plant explosion occurred, he recalled hearing the explosion which shook all of Container Corporation and saw the smoke; it was something he’d never forget.

MARINA REPAIRS: Mr. Kevin McCarthy, 2220 Florida Avenue, owner of Amelia River Cruises and Charters, commented it’s been over two months since Hurricane Matthew and although the

Marina is closed he is still able to operate his business for which he's thankful. He expressed frustration regarding little happening with needed Marina repairs and asked whether there was something he could do to move things along. Mayor Lentz asked City Manager Martin to provide a Marina update, he noted the following: all permanent slip holders have been successfully relocated. FEMA procurement training is scheduled for this Thursday in Jacksonville. City staff attending this training, at a minimum, is Fire Chief Ty Silcox and Finance Director Patti Clifford. The focus of the training is to facilitate and ensure compliance with FEMA requirements. This training subsequently leads to the official FEMA Public Assistance kickoff scheduled for next Tuesday at City Hall which begins the official sixty day period for the City to formally request FEMA assistance for recovery efforts associated with Hurricane Matthew. The City has currently solicited proposals for several smaller scale projects at the Marina, those proposals are due December 22. Tentative approval has already been granted by FEMA for those proposals but to be eligible FEMA has asked that the City demonstrate compliance with the federal procurement statutes which City staff will more clear on after the December 8th training. City Manager Martin explained a proposal to conduct an extensive damage assessment of the floating breakwater has also received conditional approval from FEMA officials, but the original proposal requested an "allowance" instead of stipulating a specific fee which must be clarified with FEMA officials. The allowance requested is approximately \$21,000 which, if revised and approved by FEMA officials, would be eligible for reimbursement. Chief Silcox and Ms. Clifford have devoted significant efforts to ensure that the City remains compliant with FEMA and other federal regulations. Mr. Joe Springer has worked closely with affected boaters to continue to provide service at the Marina despite the damage incurred.

MARINA REPAIRS: Mr. Coleman Langshaw, 308 South 15th Street, asked rhetorical questions regarding the realignment of the Marina and possible expansion to the north and riparian rights. Mr. Langshaw hopes the Army Corps of Engineers, the State of Florida, adjoining property owners and other stakeholders will be able to discuss these matters in a workshop. These topics have been talked about for years and this is a great opportunity to move the Marina north.

THANKS: Ms. Amy Lacroix, 905 White Street, on behalf to the Amelia Island Convention and Visitors Bureau thanked the City Commission and City staff for their assistance and support with holiday programs which they hope will continue to grow as the year's progress. Ms. Lacroix reminded those in attendance that Dickens on Centre is this weekend where lots of holiday cheer will be taking place.

THANKS: Ms. Faith Ross, 210 North 3rd Street, thanked the City Commissioners for all their hard work and efforts after the hurricane; it has been extremely stressful for the City.

FLOOD INSURANCE: Ms. Faith Ross, 210 North 3rd Street, thanked the City for its participation in the National Flood Insurance Program (NFIP). The City's present level of participation in the NFIP results in a twenty percent reduction on homeowners flood insurance premiums but mentioned the City can do much better. Ms. Ross recently attended the Building Department NFIP Outreach presentation and was alarmed at the amount of financial distress citizens appear to be in as a result of having to pay increased flood insurance premiums. She requested the City Commission direct staff to ramp up NFIP participation and compliance efforts which would assist financially distressed citizens by lowering their flood insurance premiums as much as forty-five percent. Ms. Ross hopes this matter will be discussed at the City Commission Visioning Workshop.

6. CONSENT AGENDA: The following nine items were on the Consent Agenda and were approved by one motion.

6.1 APPROVAL OF MINUTES – Regular Meeting – October 18, 2016: According to the agenda support documents the Minutes of the Regular Meeting of October 18, 2016 were presented for approval. Staff recommended approval as presented. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.2 VOLUNTARY ANNEXATION AGREEMENT – 785 GROVE PARK CIRCLE – RESOLUTION 2016-145: According to the agenda support documents this Resolution approves the extension of water services to the property owner identified, whose property is located outside the corporate limits of the City at 785 Grove Park Circle and noted as parcel 00-00-31-0270-0001-0020, and approves the Voluntary Annexation Petition. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-145. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.3 VOLUNTARY ANNEXATION AGREEMENT – 1440 NOTTINGHAM DRIVE – RESOLUTION 2016-146: According to the agenda support documents this Annexation Agreement authorizes the extension of water services to the property owner identified, whose property is located outside the corporate limits of the City at 1440 Nottingham Drive and noted as parcel 00-00-30-0640-0016-0000 and approves the Voluntary Annexation Petition. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-146. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.4 VOLUNTARY ANNEXATION AGREEMENT - 1458 HOLLY DRIVE - RESOLUTION 2016-147: According to the agenda support documents this Resolution authorizes the extension of water services to the property owner identified, whose property is located outside the corporate limits of the City at 1458 Holly Drive and noted as parcel 00-00-30-024B-0053-0000, and approves the Voluntary Annexation Petition. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-147. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.5 AWARD OF BID #16-14 – T B LANDMARK CONSTRUCTION, INC. - RESOLUTION 2016-148: According to the agenda support documents this Resolution approves the award of Bid #16-14 to T B Landmark Construction, Inc. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-148. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.6 AWARD OF BID #16-15 – BARNEY’S PUMPS, INC. - RESOLUTION 2016-149: According to the agenda support documents this Resolution approves the award of Bid #16-15 to Barney’s Pumps, Inc. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-149. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.7 AWARD OF BID #16-16 – PRITCHETT TRUCKING, INC. – RESOLUTION 2016-150: According to the agenda support documents this Resolution approves the award of Bid #16-16 to

Pritchett Trucking, Inc. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-150. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.8 AWARD OF BID #16-17 - FERGUSON WATERWORKS – RESOLUTION 2016-151:
According to the agenda support documents this Resolution approves the award of Bid #16-17 to Ferguson Waterworks. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-151. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.9 FRANCHISE AGREEMENT – KONA ICE OF NASSAU, LLC – RESOLUTION 2016-152:
According to the agenda support documents this Resolution grants a franchise agreement for retail sale of shaved ice to Kona Ice of Nassau for a period of one year. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2016-152. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.1 PURCHASE APPROVAL – ACF STANDBY SYSTEMS, INC. – RESOLUTION 2016-153:
According to the agenda support documents this Resolution authorizes the purchase of a generator in the amount of \$70,665.08 from ACF Standby Systems, Inc. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger, to approve Resolution 2016-153.** Vice Mayor Kreger commented that this, along with four of the consent agenda items, represents approximately \$350,000 of storm water project monies. There is presently 4,300 feet of pipe being installed along Atlantic Avenue and the north end. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.2 AGREEMENT APPROVAL - MUSCO SPORTS LIGHTING, LLC – RESOLUTION 2016-154: According to the agenda support documents this Resolution approves an agreement with Musco Sports Lighting, LLC for the purchase and installation of LED Sports Lighting for two soccer fields at the Fernandina Beach Athletic Complex.

City Manager Martin stated he received an email from Florida Public Utilities (FPU) representative Mr. RJ Sicre wondering if there was a way FPU might share in this project as well. Mr. Martin forwarded Mr. Sicre's email to Parks and Recreation Director Nan Voit for comment related to the City entering into an existing piggy back agreement with Musco Sports Lighting off of a Clay County contract. Ms. Voit explained in her email the City's long standing relationship with, and benefits of working with Musco Sports Lighting.

Mr. RJ Sicre, 1750 South 14th street, FPU Representative, explained FPU would like to have the opportunity to engage in the bid process. After some discussion **a motion was made by Vice mayor Kreger, seconded by Commissioner Poynter, to approve Resolution 2016-154. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.3 PROHIBITION OF BALLOONS ON ALL PUBLIC BEACHES – RESOLUTION 2016-155: According to the agenda support documents this Resolution prohibits the use and release of balloons along all beaches. Vice Mayor Kreger commented that the "prohibited" wording in this Resolution is incorrect and needs to be amended to "discouraged". **A Motion was made by Vice Mayor Kreger, seconded by Commissioner Miller, to approve Resolution 2016-155 with the**

following changes; remove “prohibited” and replace with “discourage”. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

8.1 FIRST READING OF ORDINANCE 2016-40 RIGHT-OF-WAY VACATION – PORTION OF GUM STREET: City Attorney Bach read Ordinance 2016-40 by title only, which was as follows: “AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A VACATION OF PUBLIC RIGHT-OF-WAY FOR A PORTION OF GUM STREET TOTALING APPROXIMATELY 755 LINEAR FEET EXTENDING BETWEEN CITRONA DRIVE AND THE EGANS CREEK GREENWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE”. According to the agenda support documents this Ordinance approves the vacation of a portion of Gum Street, an unopened public right-of-way totaling approximately 755 linear feet between Citrona Drive and the Egans Creek Greenway.

Mayor Lentz commented she is a full time Nassau County School Board employee and therefore will abstain from voting on Ordinance 2016-40 but will participate in discussion.

Ms. Brenda Ezell, 3560 Cardinal Pointe Drive, Jacksonville, Florida, stated she is here on behalf of the Nassau County School Board to request that the City of Fernandina Beach vacate the portion of Gum Street that lies in the middle of the property being sold by the School Board. At this time, the Gum Street right of way has never been opened for use, has never been built on and is not being used for public access. Ms. Ezell commented she understands some of the area residents have concerns about the loss of public access and pointed out that less than 400 feet south of the Gum Street right of way, Hickory Street does provide adequate public access to the Egans Creek Greenway. Ms. Ezell also commented that the Gum Street right of way under the School Board property, was previously vacated when the school was constructed but unfortunately the vacation did not extend through the other piece of property owned by the School Board, thus the School Board is requesting a vacation at this time for this piece of property.

Mr. Phillip Chapman, 2120 Florida Avenue, noted the last page of the agenda packet is a letter of interest which should make this decision quit easy. The letter states: “The applicant believes that all the criteria set forth in the City of Fernandina Beach Ordinance Code Section 70-4; Vacation of Public Rights of Way have been met. The requested vacation is consistent with the multimodal transportation element the City’s Comprehensive Plan particularly the following policies: 2.04.04, the city shall not abandon any existing rights of way instead encourage dedication, preservation and protection of existing and proposed rights of way during the deployment review process.” Mr. Chapman stated he does not see any time limit, there’s nothing that says in the future we cannot use this right of way. Mr. Chapman further read Land Development Code Section 2.04.05(a) “the right of way could not be reasonably utilized as a through street, sidewalk, bicycle lane, or other public function such as parking, storm management, utility location, or open space.” Mr. Chapman questioned if a developer can develop this property, why can’t the City develop it for public use or green space. He also stated that cutting trees for development is not a positive impact to the City and building more houses would bring more cars to an already congested area and suggested the Nassau County School Board conduct a traffic study prior to considering another subdivision being built.

Dr. Chip Ross, 210 North 3rd Street, explained this is a wonderful conservation opportunity for the City to expand the Egans Creek greenway. This property should not be given to a developer. The

Planning Advisory Board voted 5-0 to preserve the maritime forest and expand the greenway. Dr. Ross urged Commissioners to vote against this proposal.

Ms. Faith Ross, 210 North 3rd Street, noted the Nassau County School Board needs the money for the sale of this property, which as a former administrator, she understands well. Ms. Ross stated the Planning Advisory Board suggested a compromise solution where right of way property the City presently owns could be exchanged for a strip of equal land along the greenway - a land swap. The land swap would add land to the greenway preservation and also allow the developer to have the property that's along in the middle of the greenway. Another consideration is almost one third of the property is in wetlands and another one third is in a special flood hazard area, which unfortunately for the City's flood insurance rating, will not gain any points towards compliance when those areas are developed. Ms. Ross suggested the City Commission take a closer look at this property rather than voting on it tonight to see if there are other solutions that would still let the school board get money from the property and reminded them that land put into preservation for the City equates to more points towards NFIP savings.

Ms. Brenda Ezell, 3560 Cardinal Pointe Drive, Jacksonville, Florida, remarked this is privately owned property and in order to develop the right of way as it currently exists, the property would have to be purchased from the fee owner. The Nassau County School Board is not postured at this time to talk about the development because the Nassau County School Board has to first sell the property to a developer. The Nassau County School Board has a closing for the sale of the property and Ms. Ezell believes tonight is not the time for discussing a possible land swap or exchange. The issue this evening is a title issue and no contract can ever go forward to sell the property without the closure of the right of way because it runs directly through the property. Ms. Ezell indicated this is really is a paper issue, not a request to develop the property.

Commissioner Kreger noted he would like to table Ordinance 2016-40 because there are other considerations. He stated this is a prime piece of property; he was personally a little disappointed the Nassau County School Board did not initially offer this property to the City. Commissioner Kreger agreed with Mr. Chapman's point relative to the traffic on Citrona and the construction of Shell Cove homes not turning out to be what the Commission thought they would be. Commissioner Kreger commented there is another piece of property given from the City to the Nassau County School District in 1926 to build a school. It has been suggested a land exchange could occur between this and the Gum Street right of way. Commission Kreger reiterated he would like to table this matter to review the process in a little more detail. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to table Ordinance 2016-40. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. Mayor Lentz abstained from voting.**

9.1 SECOND READING OF ORDINANCE 2016-39 - PAY & CLASSIFICATION PLAN AMENDMENT City Attorney Bach read Ordinance 2016-39 by title only, which was as follows: "AN ORDINANCE OF THE CITY OF FERNANDINA BEACH, FLORIDA, ESTABLISHING AN AMENDED CLASSIFICATION PLAN FOR FISCAL YEAR 2016/2017, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE." According to the agenda support documents this Ordinance establishes an amended Pay and Classification Plan for FY 2016/2017.

City Manager Martin explained this Ordinance was originally going to be removed from this evening's agenda due to a Federal Judge injunction related to the Fair Labor Standards Act which was the impetus for these changes. Based on discussions with labor counsel; who recommended the City stop all work with regard to any changes associated with the Fair Labor Standards Act, upon review there are a couple of issues that the City does need to go forward with on this ordinance, City Manager Martin recommended a series of amendments and three things staff wishes to keep as follows:

- a. Keep - change in pay grade for the proposed store water manager position.
- b. Keep - change of Finance Department Head title from "Controller" to "Comptroller".
- c. Keep - elimination of the three Marina positions which the City no longer employs due to the management contract with Westrec.
- d. Delete - changes to Administrative Coordinator (Exempt and Non-Exempt Classifications)
- e. Delete - changes to Airport Operations Manager (Exempt Classification)
- f. Delete - changes to Purchasing Agent (Exempt and Non-Exempt Classifications)
- g. Delete - changes to Recreation Programs Supervisor (Exempt and Non-Exempt Classifications)
- h. Delete - additions of Airport Maintenance Technician (Non-Exempt Classification)

A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger. Mayor Lentz opened the public hearing at this time and there being no comment from the floor the public hearing was closed. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

10.1 BOARD APPOINTMENT – City Commission Liaison for Ocean Highway and Port Authority (OHPA): According to the agenda support documents the Port Authority was originally chartered in 1941 as a corporate body politic and a subdivision of the State of Florida. The name was changed in 1961 to Ocean Highway and Port Authority. OHPA has policy making, budgeting and general oversight responsibilities for all port activities. City Commissioner appointments to boards and/or commissions are a vital, effective, and efficient part of local government and provide for direct involvement in civic affairs. The City Commission working together with OHPA can successfully prepare for the City's future.

Vice Mayor Kreger stated he would be happy to be the OHPA liaison. **A motion was made by Commissioner Poynter, seconded by Commissioner Smith** to appoint Vice Mayor Kreger as liaison to OHPA. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

11.1 DISCUSSION – DIRECTION – ACTION ITEM – CITY MANAGER COMPENSATION: **A motion was made by Commissioner Poynter, seconded by Commissioner Miller** to increase City Manager Martins salary four percent. Vice Mayor Kreger commented he would not support an increase at this time as he has not seen sufficient evidence that the City Manager is working on City Commission driven goals. Vice Mayor Kreger further commented this is not to be construed as his lack of confidence in the City Manager.

Commissioner Poynter commented City Manager Martin for his demonstrated leadership abilities and believes he has done well during this past year and its appropriate now to send a positive message with a little monetary incentive.

Commissioner Smith questioned how the proposed four percent salary increase for City Manager Martin compared to other City Employees and Charter Officer increases. After some discussion **an amended motion was made by Commissioner Poynter, seconded by Commissioner Miller to increase City Manager Martin's salary three percent.**

Mayor Lentz explained she appreciates the City Manager's hard work and professionalism and will be supporting his salary increase.

City Manager Martin commented he truly appreciates the Commissions support and from a personal standpoint the past year has been wonderfully rewarding. City Manager Martin complimented the Commissioners on the way they respect one another and carry on their dialog. It's a joy to work with all of them and staff and looks forward to getting projects completed. **Vote upon passage of the motion was taken by ayes and nays as follows:**

Commissioner Poynter:	Aye
Commissioner Miller:	Aye
Vice Mayor Kreger:	Nay
Commissioner Smith:	Aye
Mayor Lentz:	Aye

Motion carried.

11.2 DISCUSSION – DIRECTION – ACTION ITEM – FIRST AVENUE IMPROVEMENTS:
This item was placed on the agenda at the request of Commissioner Poynter.

Commissioner Poynter stated he placed this matter on the agenda because he was asked to and because he believes parking in the Sadler Road, South Fletcher Avenue round about area in an important issue.

City Attorney Bach explained this is a discussion/action item, not an official Resolution. She specified the Commission is discussing whether or not they are willing to open First Avenue north of Sadler Road which would include access onto Sadler Road and South Fletcher Avenue and would also include the addition of forty four parking spaces. The theorization for the proposed opening of First Avenue is to alleviate traffic congestion at the Sadler Road South Fletcher intersection and the additional parking spaces would accommodate off-site parking for Sliders Restaurant as additional parking, required by the Land Development Code, is not physically available on or around the existing Sliders establishment.

Ms. Maria Savoldi, 1890 First Avenue, explained her objections to the proposed opening of First Avenue at Sadler Road. She submitted a letter of objection to the City Clerk's Office earlier today. Ms. Savoldi highlighted her most serious concerns: parking: several years ago the City established

beach parking on the section of First Avenue north of Sadler Road, it spans well over 400 feet, 320 feet of the 400 feet are suitable for angled parking; this equates to approximately forty parking spaces. Beach goers and residents can access the crossovers from Cleveland and Roosevelt Avenues. The proposed new forty four parking spaces would bring the total to eighty four parking spaces along a small section of First Avenue. With the exception of a few properties First Avenue is zoned low density residential. Ms. Savoldi does not understand how it can be reasoned that the proposed parking spaces would be a benefit to the citizens when forty parking spaces already exist elsewhere. It might be argued that connecting First Avenue with Sadler Road would benefit special event parking to this she offered a reminder that Seaside Park was never intended for large scale events. Developing the unimproved section of First Avenue would truly only benefit the businesses that did not plan for large expansions. The Sliders Restaurant expansion was completed circa 2011, this issue actually came before the Commission in 2010 but the expansion was approved regardless of the lack of on-site parking.

Mr. Lynn Williams, 1899 South Fletcher Avenue, commented he was one of the impassioned speakers who spoke against the First Avenue/Sadler Road/South Fletcher Avenue opening and new parking proposal five years ago and suggested the old Food Lion parking lot located on Sadler Road be utilized for off-site Sliders parking.

Mr. Bob Weintraub, 499 Crosswind Drive, explained this issue comes down to whether the City desires growth and development or quality of life. He suggested patrons of Sliders walk a little distance to get to the restaurant instead of the City cutting down trees and building a parking lot to accommodate customers who desire to park at the front door.

Ms. Diana Herman, 2116 Belvedere Avenue, speaking on behalf of the Amelia Tree Conservancy, stated the proposed opening of First Avenue and Sadler Road to create parking spaces would remove the only buffer of trees and native plants left in the area which, for the environment, is disastrous. Ms. Herman suggested this grove be cleaned up and made into a park.

Mr. George Stewart, 3150 South Fletcher Avenue, owner of Sliders Restaurant, clarified the proposed parking spaces would be for public use. He stated the parking spaces are very much needed in this high traffic area not just for Sliders patrons but for beach goers and tourists; it is imperative that additional parking be provided. Mr. Stewart stated approximately sixty three individuals in the area are currently negatively affected by people parking in their yards and businesses. There individuals signed a statement which reads "We strongly endorse and support the Fernandina Beach City Commissioner in voting in favor of opening the First Avenue public right of way north of Sadler Road. This will provide public parking and will help in relieving beach parking around and on the beach as well as traffic pressure in the circle intersecting South Fletcher and Sadler Road in addition it will provide an alternate route for emergency vehicles when the traffic circle is impassable due to heavy traffic. This project is to be funded by private citizens and will (be) performed at no cost to the City." Mr. Stewart gave the signed statement to Mayor Lentz for the record.

Mr. David Sampson, 1866 First Avenue, stated First Avenue is too narrow for two way traffic he made three additional points; 1) the parking problem occurred when Sliders expanded and did not have the required parking spaces for the expansion. Sliders solution to now build a parking lot is cheaper than the alternative. 2) Lessening traffic in the circle will route traffic through his front yard.

3) He is disappointed in the City for not notifying residents in the area that this matter was on tonight's agenda.

Mr. John Cotner, 1627 Atlantic Avenue, speaking in favor of this proposal from a planning standpoint; this is a win, win for the City and businesses in the area and a more compact way to accommodate parking. Mr. Cotner commented that City staff supports the additional parking.

Mayor Lentz asked Mr. Cotner whether First Avenue is too narrow for vehicular traffic and whether an architectural analysis had been done. Mr. Cotner stated City staff and other professionals developed three schemes for the area that evolved over time: 1) The road would dead end. 2) A through street would be created with ninety degree parallel parking. 3) The street would be one way with angled parking going south with a fifteen foot drive aisle.

Commissioner Smith asked Mr. Cotner whether a one way north entrance would be better. Mr. Cotner responded that Sadler Road is a County maintained road and there is no clear cut from the north direction.

Dr. Chip Ross, 210 North 3rd Street, explained he walked the property and it has a huge, tree covered ravine and is the only green in an area surrounded by an ocean of parking. There needs to be creative solutions such as shared parking. Constructing another parking lot would be a lose, lose for the residents and totally disrupt the neighborhood. Dr. Ross commented citizens look to the City Commission to take care of the people who live here.

Ms. Faith Ross, 210 North 3rd Street, stated she is here to talk about quality of life and that residents have adequate parking now. She explained residents don't need parking, tourists do and the Tourist Development Council should be looking at additional parking for tourists. She stated no one is protecting the residents and suggested it may be time for them to be asked to leave because they obviously don't matter. The City Commission wants to disrupt their neighborhoods but sooner or later the impact will be that when tourism leaves there is no one left to pay the bills. Ms. Ross went on to comment about topography, dust, traffic, and project funding.

Mr. Joseph Lukanus, 1745 South Fletcher Avenue, explained he moved here about five years ago and commended Sliders on the creative ways they've tried to solve their parking problem. One of the reasons he moved here is for the trees behind his property, everything else is asphalt. He requested the Commission not make the street a through way.

After some discussion among the Commissioners **a motion was made by Commissioner Poynter, seconded by Vice Mayor Lentz**, to direct staff to look into parking options and street opening options which would fair to all involved. **Vote upon passage of the motion was taken by ayes and nays as follows:**

Commissioner Poynter:	Aye
Vice Mayor Kreger:	Aye
Commissioner Miller:	Nay
Commissioner Smith:	Nay
Mayor Lentz:	Aye

Motion carried.

CITY MANAGER REPORTS:

UNITED WAY: City Manager Martin expressed thanks to Human Resources Director Ms. Robin Marley for spear heading the City's participation in United Way efforts and fund raising which culminated last week.

NORTHEAST FLORIDA REGIONAL COUNCIL: City Manager Martin stated the Northeast Florida Regional Council recognized two local agencies for their efforts: City of Fernandina Beach Ocean Rescue for Excellence in Public Safety and the Amelia Island Sea Turtle Watch for Excellence in Environmental Stewardship.

THANK YOU: City manager Martin expressed thanks to the Fire Fighters Association for the invitation to their annual dinner.

SEWER AND GARBAGE EXEMPTIONS: City Manager Martin commented that previous budget discussions included a staff review of the Sewer and Garbage Exemptions for low-income seniors. He told the Commissioners to expect changes to the program in January. City Manager Martin thanked Utility Billing Supervisor Melissa Howard and Administrative Services Manager Nicole Bednar for their efforts on this project.

FLORIDA RESILIENCY AND ENERGY DISTRICT MEETING: City Manager Martin reported he will attend the Florida Resiliency and Energy District meeting scheduled for Tuesday morning. This meeting formalizes the financial component of the Property Assessed Clean Energy (PACE) programs previously approved by the City Commission.

FEMA PROCUREMENT: City Manager Martin conveyed FEMA procurement training will be held Thursday, December 8th in Jacksonville. The focus of the training will be to facilitate and ensure compliance with federal requirements. This training leads to the FEMA Public Assistance Kick-off meeting scheduled for the next Tuesday, which brings the official sixty-day period for the City to request assistance for recovery efforts associated with Hurricane Matthew. The City has solicited proposals for several smaller scale projects at the Marina, with the proposals due by December 22nd.

CITY COMMISSION ANNUAL VISIONING SESSION: City Manager Martin announced that the City Commission Annual Visioning Session is scheduled for 8:30 am, Wednesday, December 14th at the City Golf Course.

SHOP WITH COPS: City Manager Martin stated Shop with Cops is slated for next Wednesday evening at Wal-Mart on the island, special thanks to everyone who has contributed to the efforts and to the Fernandina Beach Auxiliary Corps for sponsoring the program.

ANNUAL EMPLOYEE SERVICE AWARDS BREAKFAST: City Manager Martin stated the Annual Employee Service Awards Breakfast is scheduled for next Friday, December 16, 7:30 am, at the City Golf Course.

HOLIDAY HOURS: City Manager Martin reminded all that City Offices will be closed on December 23rd and December 26th for Christmas holiday and January 2nd for New Year's Day.

CITY ATTORNEY REPORTS: City Attorney Bach had no comments at this time.

CITY CLERK REPORTS:

BOARD VACANCIES: City Clerk Best cited the following Board Member vacancies: Police and Fire Pension Board; one regular member vacancy, Code Enforcement and Appeals Board; one regular member vacancy, Community Redevelopment Area; two regular member vacancies, Historic District Council; one alternate member vacancy.

FERNANDINA BEACH YOUTH ADVISORY COMMITTEE: City Clerk Best announced the Fernandina Beach Youth Advisory Committee will meet tomorrow afternoon in City Hall Commission Chambers.

2016 LIGHTED CHRISTMAS PARADE: City Clerk Best reminded Commissioners of the 2016 Lighted Christmas Parade to be held this Thursday; Commissioner Roy G. Smith and Mayor Lentz are scheduled to participate.

MAYOR/COMMISSIONER COMMENTS:

NASSAU COUNTY LEGISLATIVE SESSION: Vice Mayor Kreger stated that he, City Manager Martin and City Lobbyist Buddy Jacobs attended the Nassau County Legislative where they requested additional funding for City projects. He also commented Nassau County has a lot of money for the State Housing Initiative Partnership (SHIP) for low income residents. The SHIP program offers affordable housing assistance to very low, low, and moderate income families who meet all of the requirements listed in Florida Statutes 420.907, Florida Administrative Code 67-37, and other regulatory agencies. Nassau County will be receiving applications December 16th, first come, and first serve until the funds are expended.

CONDOLENCES: Commissioner Miller commented it has been an emotional couple of weeks; he and Commissioner Poynter attended Nassau County Sheriff's Deputy Eric Oliver's funeral, he thanked the multiple agency and multiple municipality coordination and participation of law enforcement personnel, fire department personnel and citizens for representing, saluting and putting their hands over their hearts during the funeral procession.

CONDOLENCES: Commissioner Miller expressed condolences to the family of Commissioner Boyle for their loss and stated that if they needed anything, the City is here for them.

CONDOLENCES: Commissioner Miller conveyed condolences to the Erdmann family.

SHOP WITH COPS: Commissioner Smith thanked Chief Hurley for inviting him to last year's Shop with Cops event. He commented on the success the organization and encouraged citizens to attend this year's Shop with Cops which will be held at Wal-Mart on the island.

CONDOLENCES: Commissioner Poynter echoed fellow Commissioner Miller's sentiments regarding recent tragedies within our community and commented on the overwhelming support residents have shown for one another during these difficult times.

CAFÉ KARIBO: Commissioner Poynter indicated Café Karibo will resume its meet and greet gatherings in January.

FAIR AND BALANCED: Commissioner Poynter explained to those in attendance and those watching from home that this Commission tries to hear all sides to the issues brought before them. He further commented the Commission can't please everyone; that they try to find the best solutions to difficult community situations. He encouraged citizens to come to the meetings and express their concerns but that doesn't mean things will always go their way and that's okay.

CONDOLENCES: Mayor Lentz extended condolences to the Oliver family and to Ms. Judith Boyle and her family for their losses.

OBJECTIVITY: Mayor Lentz echoed Commissioner Poynter's comments; the decisions the Commission makes are tough and she doesn't ever want citizens to believe they aren't being heard just because the Commission don't see things the way they do. The Commission makes their decisions based on the best interests of the whole community. She thanked those who spoke and welcomed them to contact her directly should more than three minutes of discussion time ever be needed.

REINDEER RUN AND FIREMAN'S DINNER: Mayor Lentz thanked her fellow Commissioners for manning a hydration station during the Reindeer Run and commented it was great to see her fellow Commissioners at the Fire Fighter's Association dinner.

THANKS: Mayor Lentz thanked the Commissioners and for bringing diversity to the table and likes that they don't always agree, she stated she enjoys working with the group.

AGENDA ITEM TABLING PROCEDURE: Mayor Lentz asked City Attorney Bach to clarify the procedure for tabling an agenda item. City Attorney Bach explained when an item is tabled it does not come back before the City Commission unless a Commissioner asks the City Manager to bring it back. City Manager Martin further clarified that when a Commissioner makes a motion to table and its supported all discussion immediately ceases.

GUM STREET RIGHT OF WAY: Commissioner Poynter stated City staff needs to come back with viable options or alternative suggestions on moving forward with the Gum street Right of Way matter.

GUM STREET RIGHT OF WAY: Mayor Lentz requested City staff bring three options back before the City Commission at a later meeting date. City Attorney Bach indicated she would be happy to contact Dr. Ruiz and Dr. Burns to convey the Commissions intentions.

ADJOURNMENT: There being no further business to come before the City Commission the meeting was adjourned at 8:11pm.

DRAFT

MINUTES

City Commission Regular Meeting

December 06, 2016

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ATTEST:

CAROLINE BEST
City Clerk

ROBIN C. LENTZ
Mayor-Commissioner

The City Commission of the City of Fernandina Beach, Florida, met in a Visioning Workshop on Wednesday, December 14, 2016 at the Fernandina Beach Municipal Golf Course. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Tim Poynter, and Roy G. Smith. Also in attendance were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag.

5. REVIEW 2016 GOALS: City Manager Martin welcomed all and offered copies of the 2016 City Commission goals to members of the media and the public who were in attendance. City Manager Martin noted the 2016 goal considerations and 2016 goal opportunities and stated they were prioritized based on the number of votes they received. The six main goals were established at the January 2016 Visioning Workshop and later formally adopted via Resolution 2016-51. Additional goals include Americans with Disabilities Act (ADA) recognition for the Mobi Mats, 8 Flags Playscapes Pirate Park, the new kayak launch, and the Egan's Creek observation platform. The next goal is to move forward and complete some revised downtown density Land Development Code (LDC) changes by September 30, 2017.

City Manager Martin explained that the Visioning Workshop goals flow into the cycle of the fiscal year; the goals established today will become part of the budget discussion in preparing the budget for next year. The Planning Advisory Board (PAB) is considering increased density tonight at 5:00 pm and Community Development Director Marshall McCrary and Senior Planner Kelly Gibson will be in attendance for any questions. If increased density is approved this evening, it will then come before the City Commission, then move to the State for approval, then return to the City to craft specific regulations and should be completed by the deadline that was set.

Commissioner Miller expressed his appreciation and thanks for being the most ADA compliant Florida City. Commissioner Poynter noted that Fernandina Beach was the first city in the country to meet ADA requirements in 2002.

City Manager Martin moved to the next goal – soccer field lights, the cost, approximately \$300,000 was appropriated through the budget, the contract was awarded at the last City Commission Regular Meeting and construction is slated to begin in January and be completed by March 31, 2017.

Stormwater goal – thanks to sources of funding from the State of Florida, received through the dedicated efforts of Florida State Senator Aaron Bean and Florida State Representative Janet Adkins, as well as funding from the St. John's River Water Management District (SJRWMD), the approximate \$900,000 for the piping, pumps and generator from the North Fletcher area to the Egan's Creek/Atlantic Avenue area is nearly completed.

The SJRWMD project to create 31,000 linear feet of swales in the Peck Center area is approximately \$575,000 with a City match of \$50,000, for a total project cost of \$625,000 is set to begin this week.

An approved contract with GAI Consultants will update the City's stormwater master plan which will include stormwater fee adjustments, last updated in the early 2000's, with a goal to present to City staff by December 31st and presented at the January 3, 2017 City Commission Regular Meeting.

Three new City employee positions have been budgeted; a stormwater foreman and a laborer have been hired and a Stormwater manager position was posted last week.

Beach safety - Fire Department Chief Ty Silcox put together a good training plan and the lifeguards did a great job, a successful year with no drownings, and were recognized by the Northeast Florida Regional Council of Government. Chief Silcox presented a summary of their efforts at the September 20th City Commission Regular Meeting.

Reopening Alachua Street – City Manager Martin commented the intent of reopening Alachua Street is to benefit economic development, traffic circulation and restore the historic grid. The goal is to have the streets, sidewalks and infrastructure installed by September 30, 2017.

5. WATERFRONT DISCUSSION: City Manager Martin introduced Florida Department of Transportation (FDOT) employee Ms. Laura Regalado who works in the Rail Crossing Opening/Closure Program. Ms. Regalado was in attendance to discuss the railroad opening of Alachua Street. Ms. Regalado commented: “What is unique in that we have a statute, or a rule, that governs the opening or the closing of railroad crossings. Anyone who wants to open or close a railroad crossing, be it the railroad, a private developer, a municipality, has to work through the FDOT Rail Crossing Opening/Closure Program. There are criteria that we look at for opening and closing safety; meaning for rail traffic, vehicular traffic, alternate routes and then it goes from there.”

Ms. Laura Regalado continued: “I’ve been in the position about two and on half years and early on I was contacted by City Manager Martin’s predecessor (Mr. Joe Gerrity) regarding the due to expire opening agreements for Alachua Street. There wasn’t an extension issued however due to the fact that it expired about the time that we began our discussions. So essentially I visited the site and we (FDOT) issued a new agreement to be signed by the railroad, however, that didn’t occur initially and then we (FDOT) issued the revised stipulation agreement in June 2015 and then it went back and forth where the deal was reviewing etc. and ultimately we learned in February 2017 they were not going to sign the agreement. The way that the Statute works in the State of Florida is that we were to have an agreement that everyone would sign; municipality, railroad, and FDOT. If one of the parties does not sign, municipality or the railroad, the State bills it as a compelling interest of the citizens of Florida, then we, the State, can issue what is called a Notice of Intent which is only signed by the department and basically gives the permit to the applicant and then it’s up to the dissenting party to challenge that in an administrative hearing. I have issued two of those in the last two years. It’s not something that we do without great pause as it goes all the way to the Secretary of the Department for agreement. In this case, I do feel strongly that Alachua Street or the extension of the transportation system in the city is a benefit overall. So I began working with the railroads trying to see if we could negotiate an agreement of some sort prior to moving on to initial intent.”

“I had scheduled a meeting with Genesee & Wyoming, Inc. the parent company of First Coast Railroad, for July (2016) and that was cancelled because of a death in the family so I rescheduled for September (2016). I met in their offices and the discussion was with the Vice President of Government Affairs, I believe is his title and it was not met with support from them at all. Basically, he (Vice President of Government Affairs) said that Genesee & Wyoming, Inc. would not sign an agreement so the onus was on me to make a decision if we would take the matters to the Notice of Intent phase and potentially an administrative hearing would occur which Genesee & Wyoming, Inc. would challenge. So rather than jumping right into the Notice of Intent phase I scheduled more meetings with my counterpart who is a signal safety improvement manager, currently employed with the State of Florida. We have section 130 the safety money that comes from the federal government that can be used for traffic and different things, we get anywhere from \$10-\$12 million dollars a year for signal upgrades. He was actually very much opposed to opening Alachua Street when we visited it in

February 2015 and he was not inclined to move forward with it. When we came back I had given him my reasons, having worked with Community Development Director, Marshall McCrary and City Manager Dale L. Martin for quite a while. So we came back, we met with the railroad folks, we first met with CSX who actually owns the track, it's leased through a perpetual lease by First Coast Railroad under Genesee & Wyoming, Inc. We walked the area, spent a lot of time there with a public projects manager who is located here in Jacksonville and is familiar with the area. Part of my compelling reason, I'm a planner - my background is early regional planning - and from a transportation standpoint you can see as you watch the cars and the driving and ending up accidentally at the port, and that's when you make the turn on Centre Street and keep going, something needs to be done. However, from a pedestrian standpoint at the railroad if you sit at the Salty Pelican (restaurant) you cringe, knowing safety of the railroad and watching folks turning in front of a train on Centre Street, watching pedestrians cross, smashing pennies on the rail, it's pretty sad when you see that and so we do agree that something needs to be done from a pedestrian standpoint as well. So we spent a lot of time with CSX, we walked around and had a discussion and what we thought would be the best solution would be to close Centre Street to vehicles, to extend 2nd Street one way continue to Alachua Street, make Alachua Street one way toward the waterfront and you could make either a left or a right and then Front Street would be one way toward Ash Street and then Ash Street would stay two way. The pedestrian crossing at Centre Street would have to be protected with flashing lights and gates and we would recommend and hope to design production of the railroads with pedestrian channelization amenities so that people couldn't walk across at the tracks, they would be forced, more or less, to cross at newly enhanced, safer crossings at Centre, Alachua or Ash Streets. So that was a Thursday afternoon, Friday morning was I think October 14, 2016 and I met with the Genesee & Wyoming, Inc. Vice-President, the train master, the yard master and I think their signal man of First Coast Railroad the next morning. We walked the area again discussing other improvements that need to be made at Ash Street for the signals to be more functioning, more protective and the pedestrian crossing at Centre Street and the one way at Alachua Street. While I didn't get from them a complete approval I did get a supportive response and I feel that if this were taken up with the Executive Offices of FDOT, we would be putting forward an agreement under the stipulation to the clients with Notice of Intent. We understand there will be the loss of some parking however Front Street, it's my understanding, would be redesigned to have more parking and Alachua Street would also have parking. I have transportation planning courses but I don't work as a transportation planner but I believe through consultants the plan could be better and be very successful. A pedestrian mall area on Centre Street would be very attractive and that's where we are with it now. This is the plan that the rail office and the railroads are, at this point, discussing."

Commissioner Miller asked Ms. Regalado "Is there a way to do this temporarily and then go back on it later on, temporary, just to try it for a year just to see if it works out, not make any permanent changes?" Ms. Regalado responded "No"

Mayor Lentz asked if there were any other questions or discussion from Commissioners.

Vice Mayor Kreger asked Ms. Regalado what is the next step? He noted opening Alachua Street is a goal but the closing of Centre Street is not part of the goal, so it's kind of a bigger discussion and I think we'll talk about it at the waterfront but what's next?

Ms. Laura Regalado replied "What I didn't mention is that when you look at the Statute, the Ruling, and also the Application, and that's 91 of the Florida Railroad Association (FRA), they put out a recommendation, that each municipality close to twenty five percent of their operating railroad crossings. Since the FRA recommendation, the State of Florida has been pretty active in closing rail crossings, especially the ones considered low hanging fruit. The railroads also instituted at that same time a requirement that when a new

railroad crossing is opened, another one railroad crossing is closed in conjunction with that as an offset. CSX requires three railroad crossings as an offset, typically other railroads require two railroad crossing offsets. Sometimes we can negotiate an agreement where we close one or two railroad crossings and improve a third etc. to limit the liability of the railroad. In this case (opening the Alachua Street railroad crossing) there was no offsetting closure before and that's part of the problem, is that there was not going to be any offset."

Commissioner Miller asked "Even though you're closing Centre Street off to vehicular traffic?"

Ms. Regalado replied "Well originally closing the Centre Street railroad crossing wasn't proposed."

Commissioner Miller asked "I understand. When did this law go into effect that requires that the regulations in Florida for opening and closing of railroads, do you know what time frame that was?"

Ms. Regalado replied "I don't know."

Commissioner Miller asked "Was that before Alachua's closing?"

Ms. Regalado replied "I have no idea. I don't think we've ever actually found the documents for closing Alachua Street."

Commissioner Miller commented "I was wondering if they closed it (Alachua Street railroad crossing) illegally maybe it would be easier to reopen it (Alachua Street railroad crossing) legally. If the appropriate paperwork was not filed or the proper procedures completed for closing the Alachua Street railroad crossing, perhaps we could go back and say well it wasn't done properly by regulation in the first place so why is it even closed."

Ms. Regalado replied "That documentation has been looked for and we haven't been able to find anything, I don't think that applies to the process in this case."

Commissioner Poynter noted "One of the problems that occurred this past weekend with the Dickens on Centre Street Special Event - there was a population issue where in the middle of the Special Event a train literally came flying through the program, this guy on the stage talking about the Christmas Carol and all of a sudden a train literally passes on the track and goes through town, going to the port. I have no idea why the train was going that fast maybe it was just two engines. But there were so many people downtown milling around traffic and there's no guard rail, there's nothing separating anybody from potential danger and I hate to say this but it's just a matter of time before someone is going to get hit. People have gotten hit before, cars have gotten hit before, people just kind of park anywhere they want, as close to the traffic as they want."

Ms. Regalado stated "I'll tell you that's something else there actually was a car parked at the corner of Centre in the railroad right of way and if it were hit by the train it could certainly cause damage to the train or there could be a derailment, I mean I'm not a safety expert but I think by getting rid of that dynamic it would be an additional improvement."

Commissioner Poynter commented "I mean my thing is when these things were closed years ago you didn't have the same type of people coming to town, now we're talking about another hotel being built and there's no separation between railroad tracks and anybody driving any which way that they want, walking anywhere they want. I think we are at the point where as a community we need to do something about it because we've talked about this for so long and there are clearly some issues, safety issues and if something should happen

we (the City) are going to get hammered because we've identified the problem and we just keep ignoring it. We know there's a problem, we've been told there's a problem and we continue not to do anything about the problem and I think we are kind of at the point now where we, as a community, need to figure this out.

Mayor Lentz: "Can I ask you too, Laura, can we talk about what you called a "super block" and talk about the benefits of what the proposed closed area of Centre Street could look like and mean to the businesses?"

Ms. Regalado said "Okay, and again that's not really the type of thing I practice but just in exposure and seeing other situations where streets get closed; it's a common thing to create a super block when the vehicular traffic is eliminated on that middle street. Other cities have taken situations like this and turned closed streets into pedestrian malls with more seating, etc. The proposed new transportation pattern we felt would be improved without the middle turn on Centre Street because the parking on Front Street would be kept and by opening Alachua Street drivers have the alternative to turn rather than going all the way down to the Port and it gives you a further distance to travel around, opens up that corner for economic development and also improves the waterfront."

Mayor Lentz asked "Thank you for that, also I was going to ask, what other cities in Florida have recently closed railroad crossings and turned that portion of the closed street into a mall area?"

Ms. Regalado replied "We haven't necessarily had a closure like the one proposed on Centre Street. The City of Stark, Florida is going through a similar process. A rail line that presently runs through Stark which takes extra freight to relive the Central Florida Commuter rail corridor for Sun Rail now runs about twenty extra times a day so the department along with the district is funding a great separation through the City of Stark and the way that they chose to design it they actually, rather than closing it at the crossing, they kept one and created a second one – again they needed to protect their downtown activity, so they're actually having to close crossings in the city to make that happen. CSX is asking them to close three and that's what we're working on right now, we have an agreement for two and we're working on a third. So that's another city that is in a situation where they're getting a transportation improvement, another opening and they're having to close three crossings."

Commissioner Miller noted "Creating the mall area in Spain is effective, I've seen it happen. They've taken barricades where it used to be a street and turned it into a shopping thoroughfare and there's outdoor seating, I think a lot of places in Europe have done that..."

Ms. Regalado commented "If Centre Street is closed we will be able to use some federal funding to help the City all with what's going to be necessary for improvement. I believe it has to go through a diagnostic but it's an option which would not be available if we didn't close Centre Street so we can look at hopefully getting some federal dollars to help with the City's signal safety improvements that will occur at Ash Street and I'm not sure I couldn't tell you the price tag it's probably from \$100-300k."

Vice Mayor Kreger stated "My concern is that if Front Street is made one way without significant improvements people will be routed through the most blighted area in the city. We have a street that is probably going to flood at high tide today, floods regularly."

Commissioner Miller asked "Can we get Community Development Director Marshall McCrary involved in this and talk about what Centre Street could be if we did close it off?"

City Manager Martin replied "I don't see her here yet, Ms. Beth Lemke, a consultant who worked with the City before had a chance to come in and meet with me and Mayor Lentz talked about being able to provide

some statistical evidence that, this type of closure and pedestrian mall - she can detail or demonstrate statistical, empirical evidence that it does improve the businesses.”

Mayor Lentz noted “Ms. Lemke seemed very much in favor of the plan and she specializes in transportation, she did our original traffic study and she supported that she you could pick up these (parking) spaces somewhere else.”

Commissioner Miller remarked “Marshall, have you looked at the parking study, what this would do for parking. I know I heard something about the new parking not being too far (away).”

Community Development Director Marshall McCrary replied “Not specifically. That’s exactly what would be to happen is to evaluate what kind of perspective and how it would work and looking at what gains would be, what losses would be, for parking.”

City Manager Martin responded “Again, as much as I met with Ms. Lemke, I did meet with the parking consultant that you introduced me to Commissioner Miller, they’ve presented a proposal to reevaluate the 2002 parking study – that’s the last parking study that was done. They actually submitted a proposal to me yesterday so we can; if we want to go down that path, if the concerns are parking we have somebody available that we can consult with regard to parking. Ms. Lemke is a planner as well as a traffic expert, I don’t know if she is technically an engineer, but she’s got that traffic circulation background that she worked with the City before so we would have some people that we could work with on the parking and the traffic studies.”

Commissioner Miller stated “I’m concerned about the businesses on that section of Centre Street, whether it would be a plus or minus, I know there have been some strong concerns from some of the business owners about losing the parking directly in front of their buildings. If there is data that says it would actually increase their business, other concerns are, Mr. McCarthy whom I see here, mentioned when we were talking about parking a couple of years ago, about how Centre Street doesn’t stop at the marina, Centre Street flows into an entryway, it’s an access, it’s a gateway (to the marina), we talk about 8th Street being a gateway and the Welcome Center at the airport. But our other gateway is the marina and blocking traffic coming up there by closing off what’s been traditionally everything flows into that area it seems a major change in the dynamic of what the layout is so I’d really like to see how you’d access, and I know we talked about the marina being in the wrong place and I’m sure we’ll discuss that today but I’m wondering if moving it farther in the direction of at least to deeper water that entry way would change. But it just seems that’s always been the entry, like all roads flow to the marina and when you get to that spot and have to make a right or left that seems like a major change.”

Mayor Lentz remarked “When I look at that if it were to stop and you go to Alachua and Ash, it just makes the block bigger and to me the people would be like “What is going on with that pedestrian walkway” and I think parking on the outskirts of it and if the marina is moved north that should be noted to Alachua and plus the boat ramp will still be in existence at Ash. So you still have both, to me it’s still direction toward that and if we build what we’ve talked about the park in between it just seems, and if people are taking that turn and then Vice Mayor Kreger talked about the blight, but if we improved number one Front Street the road but have the park it takes people right beside between a park and a beautiful mall area. For me personally I can visualize this and see the great in it.”

City Manager Martin stated “Working with Ms. Regalado is what I would suggest is the next step. I would also recommend that at one of our off Tuesdays in January we schedule a public workshop and invite public

comment and see about looking at the parking, looking at the traffic, getting some of those people involved. So you can get a sense if you have consensus in general is this something that you want to explore further or do you just want to say nope let's just stop it now because this seems to be the path towards opening Alachua Street."

Commissioner Poynter noted "One of the things we haven't quite said yet is that since we've already woken the giant and they've got issues if we don't be proactive and try to figure out what's in the best interest of the community then they are going to decide what they think is in the best interest of the community and they're going to do certain because that's there and now. I've met with the safety guy and he under no uncertain terms was very alarmed with what's been going on now with all the people, the businesses and the extra people milling around those tracks day and night. So somethings got to change here so it's either we work to get out in front of it and we control it or we can't control it."

Commissioner Miller asked "So it's possible that this could happen without our approval, this doesn't require commission approval the State without us approving it?"

Ms. Regalado replied "Not to this degree, the State can if there is a compelling reason, move to close something without agreement, yes. We can enforce an opening, we would not force a situation like this the railroad has the authority to start issuing citations and if there is improvements done that's a potential that they could do they could have railroad police, they could start issuing trespassing, etc. I don't know that they would that's out of my, that's completely out of my range, but that's something...if you all said "No we don't want to do this we're going to let it go" then my part's done I just walk away."

Vice Mayor Kreger stated "We have to move forward with it in January would be fine, workshop, we can't stop now. This is really a whole new issue when you talk about the closure of Centre Street. So I think we need to move forward and zero nine hundred is the waterfront issue and we can talk about the infrastructure and what we're doing. It really has to be all of it, in my mind; we have to look at the whole waterfront issue. But we have to move forward I believe with the Centre Street issue. This isn't a new issue, they've talked about closing Centre Street before its just time to, and you know it just came up so let's doing something about it, move forward."

Commissioner Smith commented "I have a thing, looking at it from the taxpayer's viewpoint, why should we spend, the town/the taxpayer, \$800,000 to open Alachua Street to open a new one and yet we're closing one that's already there – how do we justify that? Unless we get FDOT to finance a lot of the costs of it closing?"

Ms. Regalado replied "We can't pay anything towards the opening."

Commissioner Smith remarked "To me, I agree to open the Alachua Street railroad crossing but how do you justify to the taxpayer spending \$800,000.00"

Ms. Regalado answered "Safety."

Commissioner Smith stated "I know but that's the railroad safety, they can also protect the roads."

Ms. Regalado replied "I know but that's not their responsibility."

Commissioner Smith noted "Whoever it is if they don't want the liability for somebody to get run over.

Because we don't have anything down that way and we have an opening at Centre Street, we don't have one at Alachua. People walking in there to Salty Pelican, maybe they put signs up "Walk at your own risk" but that's the railroads liability there the ones with the trains on it."

Ms. Regalado answered "No, it's not their responsibility – I don't know the law but it's not their responsibility."

Commissioner Smith stated "Well, it's not the City's because we don't have a crossing."

Ms. Regalado commented "Don't quote me on this but it actually almost rises to the level of a felony to be on the railroad tracks. The only place that someone is allowed to actually, the public, is allowed to walk across the railroad tracks is at a specified crossing."

Commissioner Smith stated "And that's what we have at Centre Street."

Ms. Regalado replied "Right, if anyone crosses anywhere else it's not the railroad's liability it's the citizens, it's the person crossing the track but everyone is going to look to somebody when, or people look to someone to sue even when there is a user error."

Commissioner Smith said "How about the people walking across the tracks between Centre and Ash Streets?"

Ms. Regalado answered "Well I understand that's part of the proposal if there is an opening it would be channelization, we would put that in the agreement that there would be channelization be it with vegetation or fencing or what have you to improve, to protect the public from themselves basically to make it not so easy for them to cross the tracks. And I don't know the laws in that situation but my guess is that a traffic signal or other things that you need for safety of the travelling public, walking or what have you."

Commissioner Smith noted "I have a slight problem that gutted an opening for a crossing at Centre Street that's worked fine for however many years that it's been there and we're going to say you tell us okay you have one at Alachua and spend \$800k to do it, Fernandina Beach, but you're going to close this perfectly good one at Centre Street."

Ms. Regalado said "Well I think perfectly good is not an accurate term, that's a very dangerous crossing as it is right now the way there is not proper gates, I saw cars crossing there with a moving train coming because of the way the gates are they don't protect from the parking, etc. both of the existing crossings are very dangerous, the configuration of it."

Mayor Lentz noted "An economic vitality, Commissioner Smith, expanding that and giving some infrastructure into north of Centre Street, that to me is a good investment."

Commissioner Smith stated "I've talked to people on Centre Street in that block, everyone I've talked to is not in favor of closing Centre Street that's in that block. I've talked to a lot of them."

Mayor Lentz replied "That's why we need a workshop."

Commissioner Miller noted "All they saw is a picture in the paper with no explanation, with no discussion."

Mayor Lentz replied “Right, they don’t have any idea what it looks like except for two red X’s.”

Commissioner Miller commented “And part of that economic development is going farther north on 2nd Street all those property owners in that, Tony G’s here, we’ve had a lot of conversations about that, they need this to happen for that to happen and that’s a huge economic boom downtown living and business would improve greatly.”

Commissioner Smith asked “Are they willing to help with the cost?”

Commissioner Miller said “That’s a conversation.”

Commissioner Smith remarked “That’s the City spending money on private development. I think the railroad should help us with the cost.”

Mayor Lentz said “We talked about Front Street would there be any FDOT possible funding, I feel like the infrastructure of Front Street it needs to be raised up, it’s not just a repaving and putting a sidewalk in, it’s real engineering.”

Commissioner Smith observed “It’s not a state road; you might be able to pursue Department of Environmental Protection (DEP).”

Ms. Regalado said “I don’t know for sure. I will, I can try.”

Mayor Lentz observed “Because it goes to the port and it runs beside a railroad it kind of has more challenges than the rest of our municipal streets.”

Ms. Regalado asked “And you are a working waterfront?”

Mayor Lentz replied “Yes.”

Vice Mayor Kreger stated “I agree that there is a cost issue and I also know that funding potential grants are/could be available. This isn’t going to happen tomorrow and one avenue we talk about is the local mitigation strategy where it goes in there and it becomes available for money, money’s going to become available soon relative to Hurricane Matthew. It all fits into the whole waterfront issue and the infrastructure but the workshop I think is, you know we need to go ahead with the workshop and make it aware of the public.”

Commissioner Miller noted “The economic value, I went to a ribbon cutting yesterday at a retail store next to Staples, the new Coastal Living place , she said she’s already created nine jobs and injected \$400k in the City’s community so that’s half from one small store so opening this up could open a lot of economic value with just one store opening.”

Mayor Lentz observed “I just saw Beth Lemke walk in, Beth, I’m sorry to put you on the spot but we mentioned you earlier with talking about the parking situation, moving forward and really considering this plan.”

City Manager Martin stated “It was more from the not so much the parking but the traffic and the economic development just so you know we already introduced you before you got here. One thing that we talked

about is that you've been familiar with similar type reconfigurations and that there is empirical evidence that could demonstrate the economic benefit of this and so that's how we kind of said yes we have had some very preliminary discussions the Mayor and I with you and that you might be able to provide some additional insight."

Ms. Lemke replied "There absolutely is from a walkability standpoint, getting people out of their cars, that the intent to have people out of their cars to walk around. People don't buy things from their cars; they buy things from their wallets when they walk around. You need people walking through the City, and to make it a safe and walkable community, it's what you need to do from that standpoint. It's really about getting the traffic to certain destinations, park them, get them to go out of their cars and then from the parking areas to all destinations in a safe walking manner."

Commissioner Miller remarked "St. Augustine's a great example of that, that parking structure and your walking past a lot and you spend a lot of money when you're walking around, you definitely don't want to park away from that structure because of all the meters and it's really hard to navigate parking."

Ms. Lemke observed "And the great thing about Fernandina, your walking environment is already interesting. You've got great places to walk so just to me from my standpoint it's kind of almost an easy thing from an infrastructure standpoint to correct some of the issues that you have."

Mayor Lentz said "So I guess the consensus is we'll go ahead and you're not approving this just to be clear to everybody this not being approved but to schedule a workshop for one of our off Tuesdays which I believe will be either the 10th or the 24th and invite stakeholders as well as perhaps some consultants."

6. WATERFRONT DISCUSSION: City Manager Martin provided an update on Fernandina Harbor Marina damages related to Hurricane Matthew. City Manager Martin noted that City staff along with Commissioner Roy G. Smith met with Federal Emergency Management Agency (FEMA) for the official kickoff meeting which starts a sixty day clock in order for City staff to submit to FEMA the Fernandina Harbor Marina damage assessments and proposals to recoup costs (from FEMA) associated with the needed Fernandina Harbor Marina repairs.

City Manager Martin stated a consultant will be brought in to do an assessment on the breakwater component of the Fernandina Harbor Marina; FEMA representatives discussed reimbursement to restore the Fernandina Harbor Marina to its original state pending any change in code requirements. City Manager Martin will reach out to Advance Technology Management (ATM), the City's Marina consultant, to perform a full blown damage assessment. The cost of which is approximately \$18,000, recoverable through FEMA. The FEMA reimbursement rate is 75%; Florida reimburses the community an additional 12.5% so the cost to the City could be as low as 12.5%. Through a pilot program it would pay 85% with the remaining 15% divided between the State and the City.

City Manager Martin noted another FEMA pilot program for 2% is a once in a lifetime request - consensus from staff is to go ahead as it is a pilot program and may not be around if another hurricane occurs. The bids were published to do a series of six projects but Fernandina Harbor Marina Manager Joe Springer has broken them down more specifically into ten projects. Proposals are being solicited and are due the 22nd. The vendor will be presented to the City Commission on January 3rd to start no later than thirty days after that and be completed after ninety days.

City Manager Martin commented the mooring field project is moving forward, and the State is reviewing the mooring filed expansion application from twenty four to 100 mooring sites and should have the permit shortly. City Manager Martin explained that Mr. Simms indicates the northern expansion permits have been completed. We are waiting on the channel relocation and awaiting feedback on the southern realignment. City Manager Martin noted the \$300,000 in the budget for dredging.

Commission Poynter questioned spending hundreds of thousands of dollars regularly to dredge the Marina and pointed out that initially it could be costly for a better future it may be prudent to be penny smart and pound foolish to impede repeat spending each year.

City Manager Martin explained that Fernandina Harbor Marina Manager Joe Springer indicated we're in kind of a transition period where there are bigger and much more expensive boats transiting to this area and yes our goal should be to develop a world class marina facility to support the local economy with more businesses as well as the visitors coming to town. City Manager Martin stated he felt Mr. Springer deserves a lot of credit because he has worked very well with people who have asked for help in finding a way to insure that Marina operations keep going.

City Manager Martin noted that Mr. Simms explained the southern basin realignment and completed a draft and received feedback from Fernandina Harbor Marina Manager Joe Springer who wanted to include alternative pricing to do the realignment and had received from Melanie, a contractor, pricing to go back and bring in docks instead of refurbishing the old concrete ones. But the contractor's been very slow getting back and pricing bids are being solicited from other contractors and will continue moving forward with the realignment and possibly in conjunction with the dredging without using FEMA dollars immediately because that part of the marina was not damaged.

Vice Mayor Kreger stated the Tourist Development Council (TDC) is governed by a Florida Statute 125.0104 which provides for and authorizes maintenance renovations/restoration/erosion control on beaches and rivers. He explained this would be a valid way of looking at the TDC to change their Charter to comply with Florida Statute to allow us (the City) to use TDC money to cover massive potential operations along the river. City Manager Martin suggested holding a joint meeting with Nassau County to make the case.

Mayor Lentz queried if it made sense to expand the easterly dock because the water is shallow rendering only one side of the dock operational.

City Manager Martin explained part of the theory behind that is with the boat ramp; the movements there will keep things stirred up, prevent future siltation or have impact on siltation and anything past Brett's is iffy. City Manager Martin then commenced with discussing Front Street flooding and parking problems.

City Manager Martin noted previous plans have developed which show a wall on Front Street separating traffic from the railroad. Ms. Regalado referred to this as a knee wall with decorative fencing. The wall would have a secondary storm water purpose which would prevent storm water and king tide waters from intruding across the railroad tracks. City Manager Martin stated it is problematic that the right of way in that area is somewhat narrow but now that the City owns the Venturo property, which a current analysis has deemed unsalvageable, the City may be able to expand the right of way to accommodate the sidewalk, parking and traffic along Front Street.

Commissioner Smith asked whether the pilings located under the Venturo structure are structurally sound.

City Manager Martin stated the current analysis indicates the pilings are in good condition and that if the City Commission so desires, Staff will move forward with the State to ensure any Venturo property redevelopment rights remain on the existing building foot print. City Manager Martin noted the City's website, under the CRA tab, contains previous years' studies and plans. He suggested looking at the properties from a macro level, the marina, Alachua Street, Front Street, Centre Street, to consider reviewing all and coming up with a master plan to tie all the waterfront components together.

Mayor Lentz asked if there was consensus among the City Commissioners to work on a Request for Qualifications (RFP) for a downtown master plan prior to January. City Manager Martin said some kind of consensus would have to be reached before an RFQ would be reviewed prior to publication. Commissioner Poynter and Mayor Lentz agreed to an RFQ to qualified engineers, and also suggested they be invited to upcoming workshops so they would have a better understanding of the concept, in an effort to do their due diligence, to ensure the City gets the best product.

Vice Mayor Kreger agreed that the Commission absolutely should propose a ballot referendum to increase citizens' tax bills in order to move forward with a long term, beneficial, water front plan for future generations to enjoy. There was some additional dialog among the Commissioners regarding a waterfront master plan.

Mayor Lentz called a brief fifteen minute recess at this time.

Upon reconvening Mayor Lentz asked about the expansion of the southern end of the Marina considering that it fills with silt.

Fernandina Harbor Marina Manager Joe Springer responded what's happening now; as the water is coming up, it hits dock 9 slows down, it hits dock 8, dock 7, dock 6, dock 5, dock 4 and by the time it gets down to Brett's there's no water movement and all the siltation has dropped. Fernandina Harbor Marina Manager Joe Springer went on to explain siltation, turbidity, and re-suspending particulates as they relate to relocating the Marina and how its relocation should be incorporated into the downtown waterfront master plan.

Vice Mayor Kreger commented he supports Commissioner Poynter, and suggested these waterfront master plan matters be hurried through the City's vetting process in an effort to get it on the November 2017 General Election ballot for referendum.

City Attorney Bach noted the riparian rights, per attorneys in Tallahassee, were not fully transferred through the deeds to the City meaning that the Simmons-Osteen property purchased by the City still has some riparian rights with some water access. The law doesn't state what kind of access, but there is vessel access to the navigable waters. City Attorney Bach commented there are a number of ways the City could do that working with ATM; a cantilever dock, depending on the design the Commission chooses, the boats could go out and around creating an easement of sorts, a riparian easement, so there are options. The title attorneys, or riparian rights experts or I don't believe any deals have to be made with Mr. Simmons in order to do the expansion as long as he has access. Mayor Lentz asked if this information could be put in writing and City Attorney Bach said yes, at a cost.

Mayor Lentz adjourned for lunch.

Upon reconvening City Manager Martin stated the intent for the afternoon session is to brainstorm what the City Commissioners considered as goals.

Commissioner Poynter noted stormwater, appropriate infrastructure throughout the city, effective preventative maintenance, three year goal: the coordination of all the basic grants, local mitigation strategy, the surface water improvement program, septic tanks, sidewalks streets, updating and upgrading downtown lights to LED.

Mayor Lentz agreed.

City Manager Martin agreed and added the inclusion of a definition of the ethereal \$17 million dollars.

Mayor Lentz concurred that the addition of GAI could provide an accurate number and primary goal is streets. City Manager Martin said that GAI officials will deliver a presentation as part of the Commission meeting in January which the Commission will then dissect and prioritize.

Mayor Lentz agreed.

Vice Mayor Kreger responded that there is a lighting standard in the City's LDC established by the Illumination Society of North America that by updating the fixtures the cost could be reduced.

Commissioner Poynter agreed that there is potential for savings and that there are 6-7 LED street lights in Fernandina Beach that were a test several years ago and that need to be readdressed.

Commissioner Miller asked if the City pays for traffic light bills.

Mayor Lentz confirmed that FDOT reimburses for all state highways and noted that Florida Public Utilities (FPU) is converting light poles. The City rents the poles and pays for the light. She remarked to include them in the process and plan.

City Manager Martin said the city pays the street lighting bill but it should be the county's responsibility. Mayor Lentz noted to inform Nassau County at the joint meeting.

Commissioner Miller asked about cable and if the City could run its own. City Attorney Bach said yes it could run its own and that the City cannot require a franchise agreement and not charge franchise fees for use of rights of way.

Commissioner Poynter asked that mutual aid agreements between the City and Nassau County, especially police and fire be reviewed. Vice Mayor Kreger agreed commenting that the City does more than Nassau County and citizens outside the City receive benefits without being taxed.

Commissioner Smith expressed his desire to review paid beach parking, sand tax and possible decals to assist paying for repair and creating additional beach accesses. Commissioner Poynter noted that monies raised would go to the beach. City Attorney Bach commented from a legal standpoint there is no legal restriction on the money raised. Commissioner Smith proposed a kiosk for payment noting disdain from residents regarding non-resident beach use.

Mayor Lentz clarified that beach re-nourishment protects from storms and aids infrastructural service and it is important to educate users. City Manager Martin noted discussing beach re-nourishment with Nassau County.

Mayor Lentz offered adding the beautification of the 8th Street entrance as a priority. Noting that although it may not always be the entrance, it could currently use improvement. Vice Mayor Kreger agreed.

City Manager Martin pointed out that since the annex is now just over the bridge it might be a spot for a welcome to the City of Fernandina Beach sign.

Mayor Lentz mentioned that in her conversations with Amelia Island Tourist Development Council (TDC) Managing Director Gil Langley, 60% of TDC funds are spent on advertising Amelia Island. Mayor Lentz then noted the next goal, beach parking.

City Manager Martin added parking, horses and animals on the beaches.

City Attorney Bach stated in 1989 the State of Florida passed that you cannot drive on the beach, there were a few communities including the City of Fernandina Beach that lobbied a group of legislators for that small area in the city limits, 600 feet, to stay and if you make any changes to that it's an all or nothing kind of thing, i.e. resort rentals, the chambers will be full of people who will want that, the County beaches is where driving is allowed. The problem has always been it's the County beaches that have driving, not the City beaches. When it gets crowded and they're stacked 4, 5, 6 deep people are partying and walking in between and there are kids, it is a liability for the city. City Manager Martin questioned that it's a liability.

City Attorney Bach reiterated it is a liability for the City and stated another thing that has come up is when the City received beach re-nourishment, we were told by Mr. Eric Olsen, the feds are eventually going to come down and tell the City they are not giving the City any more sand because it's allowing people to drive or park on the beach. It does not need to go to the legislature, additionally if something like the horses if you at least want to see it at your Commission meeting whether it's a discussion item or first reading, just tell me today and I'll bring it forward. Horses on the beach will bring about five people from the county that think it's a great thing. To keep the beach driving is going to fill the chambers and spill out the doors, just so you know. The County sells passes for beach parking; there is no revenue so let's just ban it. We also have some permits for select people I would have to address, too. We assign some permits each year for some seniors and licensed fisherman.

Mayor Lentz queried about the Island Hopper.

City Manager Martin said he sent a few requests for rider ship and operations and has not yet received the requested information. City Manager Martin noted that included in this year's budget is a \$10,000 for the Island Hopper. In speaking with Commissioner Smith, we concurred it's a large sum of money and should be evaluated. The big bus runs Thursday -Monday and costs one dollar to do the loop, it is a community service and we believe that we're getting tremendous value for a \$10,000 investment and it's a discussion for next year's budget preparation.

City Manager Martin further explained that the Island Hopper was implemented on the 4th of July by the Council on Aging (COA). At that time the COA did not have the proper vehicles because the vehicles weren't ready, so for the summer they were operating with two or three passenger vehicles. They added stops locally to the Martin Luther King Recreation Center and the Peck Center. City Manager Martin believes it will become a nice service once people are aware of it. Community Development Department Senior Planner Kelly Gibson is working on some of the signage, public outreach, public education and it will all be evaluated.

Commissioner Miller noted that on the web page, the standard municipal Florida web page, that the Key West site has a user friendly design with a welcome video, a message from the Mayor and offered that the City's current web page could benefit from an update. He asked how many followers are on the Facebook page. Administrative Services Manager Nicole Bednar responded approximately 2000 and noted there is no soliciting, only information upon request.

Commissioner Miller added that it's free advertisement and beneficial communication for citizens and staff to post trolley schedules. Mayor Lentz added she directs citizens to the website and to sign up for reminders via email or text message for posted agendas.

City Manager Mayor announced that the City Clerk's Office has a position open for an Administrative Specialist who will also serve as an information officer in part and will be properly posting items, meetings and city happenings noting how that position will integrate with the Information Technology Department and whether they (IT Department) will be more focused on the hardware side, and if the new person will become more the social media presence for City, noting it's a work in progress. Commissioner Poynter mentioned there are management companies that handle social media.

Vice Mayor Kreger offered staffing as a goal and felt a critical need for a purchasing agent and a Public Works Director. City Manager Martin responded that is in process.

Commissioner Poynter noted City Hall is not currently ADA compliant and renovations are in progress surmising it does not have to remain a government type building and suggested as valuable property, it should be taken into consideration.

Vice Mayor Kreger pointed out that the Post Office on Centre Street is approximately double the size of City Hall and might be better utilized as City Hall. Mayor Lentz agreed.

City Manager Martin stated there are ongoing discussions between himself, Senator Bill Nelson, City Lobbyist/Attorney at Law Mr. Buddy Jacobs; his last discussion with them regarding the City purchasing the Centre Street Post Office, should the City be inclined to make an offer, the City should ask the United States Government for a market price and figure out how the City wants to pay for it or the City can continue to try to get the property declared surplus which would be a much longer process but a much cheaper price. Mayor Lentz indicated that the post office would continue to operate a portion of the structure. Commissioner Poynter agreed. Commissioner Miller agreed and offered that it could be operated by a city employee and that the City Commission should pursue purchasing it as there may be grant money available.

Mayor Lentz listed another goal as special events and making them a priority. Commissioner Poynter agreed there should be a go to person in the City. Commissioner Miller also agreed that it should be someone who is boots on the ground who can answer questions or if someone has an issue regarding special events.

Commissioner Poynter explained that when he was a Commissioner previously there was a part-time special events person that contacted all the downtown businesses for each special event. Now that alcohol sales are approved special events have increased and there is a need for a point person.

Mayor Lentz brought up the next goal, Sadler Road; now that rezoning of 8th Street has been completed the other two economic opportunity areas are Sadler Road and Main Beach. City Manager Martin proposed straightening out the jagged City/County lines in these areas and suggested a petition.

City Attorney Bach stated that for commercial properties, or residential, where there are no registered voters the Statutes for annexation are based basically involuntary, except for commercial. If the commission gave the direction to staff, it's labor intensive to come up with an annexation strategy, where you look at a map and you say these are the commercial parcels and you have to have incentive money, basically, let's say you have a block of commercial properties 51% of those commercial property owners have to sign an agreement so you can incentivize them and I've been part of this in another City where they used cash, public improvements, helping to improve the streetscape for their businesses based on an agreement and the other ones said heck no I'm not coming in over my dead body but we said sorry you're in, you're the 49% but you cannot do that with homesteaded properties, you can't do it at all and that's our problem on Citrona Drive. They are coming in for our water. My recommendation is taking a small bite out of an elephant because a residential elephant is something that you have to commit to, you have to go to neighborhood associations tell them why it's great to be in the city, etc. The commercial side is easier and a lot less money, you can throw them a few dollars or promise them improvements and they come in and they realize, you show them a tax bill and it's not that much different.

Mayor Lentz recapped that the City has control over the zoning the need to look at some zoning changes for Sadler Road.

Mayor Lentz – mentioned Seaside Park was a separate entity and suggested Sadler Road to Seaside Park be looked at as one area instead of two separate areas because there are challenges.

Commissioner Poynter reflected that the Commission previously turned it down on the west side of the commercial area. Commissioner Poynter added that he disagreed with how they were able to do it to begin with. An economic overlay was created at the same time a lot combination restriction over 100 feet was added which effectively killed the economic development aspect of the economic overlay because one is not allowed to put two lots together. Consequently you don't have anything happening. On Atlantic they didn't have this issue but as soon as you went to the corner of Atlantic and South Fletcher from that point forward going the other way you can't combine any lots. In one breath we say we need to look at an overlay to make this more viable and then in the same breath we put the roadblocks in that you effectively can't do it. Commissioner Poynter suggested reinstating the ability to request variances for the properties presently affected by the zero lot combination overlay. Commissioner Miller stated he's previously voted against this based on research and consultation. Mayor Lentz talked about opening up the variance section of the City's LDC to allow for commercial properties to seek a variance on lot combination, still restricting residential. City Attorney Bach confirmed that a variance goes to the Board of Adjustment (BOA) and final decision making is rendered by that body.

City Attorney Bach clarified that demonstrated hardship is mandatory and there are six criteria to demonstrate hardship. Or it is part of the economic growth and that has to come from us and not in front of the BOA. City Attorney Bach suggested the Commissioners may be getting a little bit confused towards wanting to have initial control in the design of that structure on the commercial piece so by allowing it in your code does not say that you're going to see this before approval. Commissioner Miller questioned if all of the criteria were not met correctly would the public have recourse. City Attorney Bach stated no, there is no recourse except to file suit and any affected party can file suit.

Community Development Department Senior Planner Kelly Gibson clarified there are three pieces of property within this location, with varied widths. There will be lot line adjustments so that the structure itself can occupy one of the parcels. They want to be able to place parking onto the other parcels, three total parcels, none of them exceeding 100 feet in width but as a complex they need to rely on those other parcels to

satisfy the parking demand necessary for the restaurant on the one parcel and then they are building other out buildings so here is a principal use to those parcels and requesting a variance from over improving the parking from what they are building. Commissioner Miller asked if this is where the waterslide once was located. Community Development Department Senior Planner Gibson confirmed and said the site plan work has been completed as well a conceptual rendering.

Mayor Lentz asked the group if there were any additional goals they would like to offer up for discussion.

Vice Mayor Kreger noted inter-governmental relations; City, State, County, School Board, St. Johns, Ocean Highway and Port Authority. Vice Mayor Kreger agreed with developing better relationships with sister governmental agencies and commented that City Commissioners needed to be active members in their professional organizations. City Manager Martin offered that a subordinate organization; Northeast Florida League of Cities meets monthly, and Fire Chief Silcox attends.

City Manager Martin explained the intent with these goals is to give staff policy direction to start working on next year's budget. Some of these goals might be able to be addressed under this year's budget. Some other goals from previous years have deadlines fiscal year 2018, so not only the Airport Welcome Center but by September 2018 we should have a transition to the new Fixed Base Operator (FBO) so really start to think that's almost two years from now so start thinking long term, this is perhaps your key responsibility as a city Commissioner is setting these priorities which staff can then interpret into budget and implementation so your charting a path for the next eighteen months.

Commissioner Miller noted that acquiring the Centre Street Post Office is a great example of long term planning. He also mentioned installing more solar panels. Vice Mayor Kreger explained the City's Utilities Department is 50% solar powered. Vice Mayor Kreger further commented the City has a spreadsheet that tracks kilowatt hours for the last three years and the City could save probably \$100,000 per year easily on its energy bill.

Mayor Lentz noted money saving ideas as a whole for City facilities and City staff. The Nassau County School Board pays one employee \$50,000 annually to monitor energy usage and since he's come on board he has saved the Nassau County School Board \$200,000 in electricity. So more ideas to be environmentally friendly and save some money are welcome.

City Manager Martin stated that a goal for Facilities Maintenance Director Mr. Jeremiah Glisson is to a complete inventory and condition/status report of all City facilities including The Peck Center, The MLK Recreation Center, City Hall, etc., once the report is received it will be shared.

Commissioner Miller inquired about the Facilities Maintenance software program called Facility Dude. Vice Mayor Kreger confirmed the Facility Dude program was free for the first year and \$2500 per year thereafter. The software tracks anything you want to track i.e. Special Events.

Vice Mayor Kreger noted the less than desirable condition of Fire Station #2. Mayor Lentz asked if the property could be sold. City Attorney Bach answered yes. There was additional discussion among the City Commissioners about the location of Fire Station #2 and where development occurring to the south.

Commissioner Miller commented that the public perception out there is the City is not as business friendly as it could be when it comes to new businesses opening and trying to get permits. Commissioner Miller stated

he recently met with City Manager Martin and Building Department Plans Examiner Don Kukla to address concerns. Commissioner Poynter noted the Building Department has made progress with process improvements and gave kudos to the Building Department remarking that getting more online assistance would be beneficial. City Manager Martin explained that the Amelia Island Fernandina Beach Yulee Chamber of Commerce met with Community Development Department staff and approximately a dozen citizens who were all extremely complimentary of staff. There were a few issues related to specific businesses: The Patio, where there were some parking issues. The Picnic Basket permitting process went along fine. Mayor Lentz thanked staff members Mr. McCrary and Ms. Gibson for their work.

At this time, City Manager Martin asked Administrative Services Manager Nicole Bednar to read the goal cards in summary which were as follows: Airport Welcome Center, waterfront, permits/processing improvements, savings ideas for facilities and staff, increase solar energy, airport golf course options, improve inter-governmental relations, Sadler Road, special events, acquire Centre Street Post Office, social outreach improvement, trolley marketing, restrict animals on beaches, beach driving, infrastructure, stormwater and streets, gateways to the City, welcome signage, paid beach parking, Municipal Services Taxing Unit (MSTU), mutual aid agreements and the level service, update downtown lighting fixtures. City Manager Martin added public safety. Commissioner Poynter remarked Nassau County is going to charge all Cities within Nassau County and then rebate the Cities who have their own Police and Fire Departments. The estimate is roughly two million dollars.

City Manager gave a reminder about the Employee Service Awards Breakfast on Friday December 16, 2016.

ADJOURNMENT: There being no further business to come before the City Commission, the Visioning Workshop was adjourned at 4:00 pm.

ATTEST:

CAROLINE BEST
City Clerk

Robin C. Lentz
Commissioner - Mayor

The City Commission of the City of Fernandina Beach, Florida met in a Regular Meeting on Tuesday, January 3, at 6:00 pm in the City Commission Chambers. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Roy G. Smith, and Tim Poynter. Also present were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag. The invocation was then given by Utilities Director Mr. John Mandrick.

4.1 PRESENTATION – STORM WATER MASTER PLAN REPORT: GAI Consultants, Inc. Mr. Ron Hoogland and Mr. Tony Bryant provided a PowerPoint presentation regarding the final Storm Water Master Plan. The Storm Water Master Plan identified nine Project Areas as follows:

- Project Area 1 – North 15th Street- Oak Marsh Drive. Formerly known as Area C-4: North 15th Street, North of Leon Street
- Project Area 2 – Highland Drive, near North 19th Street. Formerly known as Area C-11A: 1813 Highland Drive
- Project Area 3 – Beech Street, East of South 16th Street. Formerly known as Area C-2B/C: 9: Beech Street
- Project Area 4 – Beech Street, between South 9th and South 14th Streets. Formerly known as Area C-2B/C-9: Beech Street
- Project Area 5 – Broome Street and Alachua Street. Formerly known as Area C-13: Downtown Area
- Project Area 6 – Ash Street to Elm Street, between Amelia River and N. 8th Street. Formerly known as Area C-13 Downtown Area
- Project Area 7 – Fir Street to Gum Street, between Amelia River and North 8th Street. Formerly known as Area C-6: Fir Street
- Project Area 8 – Elm Street, between South 11th Street and South 13th Street. Formerly known as Area C-11D: Elm Street at South 6th Street
- Project Area 9 – 1st Avenue, between Allan Avenue and South Casino Avenue. Formerly known as Area C-10.

4.2 PRESENTATION – AIRPORT WELCOME CENTER: Mr. Andrew Holesko of Passero & Associates, LLC provided a PowerPoint presentation update on the Airport Welcome Center Project.

Vice Mayor Kreger commented he was under the impression the Airport Welcome Center project would go out to bid in December and expressed concerns related to value engineering.

Mr. Holesko stated the project timeline intervals are attributable to newly hired Airport Manager Ms. Stephanie Morgan needing design time with the project so as to provide her professional feedback.

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEM ON THE CONSENT AGENDA:

Mayor Lentz reminded the public if they would like to speak during Public Comment they need to complete a Request to Speak form located on the knee wall, once completed, the Request to Speak form should be turned in to the City Clerk. Mayor Lentz also reminded the public they are welcome

to follow the agenda on their smart devices and view agenda backup documents, both are available through the City's free WiFi. Mayor Lentz also spoke to the three minute speaking time limit and stated the City Commission appreciates all public comment.

ZONING CHANGES: Dr. Chip Ross, 210 North 3rd Street, provided a presentation in opposition to proposed C-2 and C-3 Zoning Changes and requested his presentation be made a part of Planning Advisory Board Case #2017-02.

Vice Mayor Kreger commented he has personally been in discussions with the City Manager and staff regarding creating an overall plan for the public which clearly illustrates the City's direction. Vice Mayor Kreger mentioned that as yet, the proposed C-2 and C-3 zoning changes have not come before the Planning Advisory Board.

6. CONSENT AGENDA: The following seven items were on the Consent Agenda and were approved by one motion.

6.1 APPROVAL OF MINUTES: According to the agenda support documents, the Minutes Regular Meeting of November 1, 2016, the Organizational Meeting of November 15, 2016, the Regular Meeting of November 15, 2016, and the Special Meeting of November 29, 2016 were presented for approval. Staff recommended approval as submitted. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.2 BUDGET AMENDMENT – GOLF COURSE: RESOLUTION 2017-01 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017. According to the agenda support documents, Resolution 2017-01 approves a transfer of \$18,000 from the Golf Operating Supplies account to the Insurance account. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-01. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.3 BUDGET AMENDMENT – STORM WATER & PURCHASE APPROVAL – HUB CITY FORD: RESOLUTION 2017-02 APPROVING AN AMENDMENT TO THE STORM WATER BUDGET FOR FISCAL YEAR 2016/2017; APPROVING THE PURCHASE OF A VEHICLE FROM HUB CITY FORD. According to the agenda support documents, Resolution 2017-02 approves the purchase of a 2017 Ford F-150 in the amount of \$24,364 from Hub City Ford and a budget transfer of \$25,000 from the Storm Water Salaries account to the Storm Water Equipment account. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-02. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.4 BUDGET AMENDMENT & CAPITAL IMPROVEMENT PLAN AMENDMENT – PECK CENTER: RESOLUTION 2017-03 APPROVING AN AMENDMENT TO THE CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2016/2017; AMENDING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN. According to the agenda support documents, Resolution 2017-03 approves a \$28,000 transfer to the Peck Gym Improvements account, a transfer from the Peck Improvements account, (\$14,000) and a transfer from the Waterfront Park account (\$14,000). Also approves an amendment to the Five Year Capital Improvement Plan adding the Peck Gym Ductwork

project for \$28,000 and reducing the Peck Improvements and Waterfront Park lines. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-03. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.5 FLORIDA DEPARTMENT OF TRANSPORTATION – RESOLUTION 2017-04 AUTHORIZING JOINT PARTICIPATION AGREEMENT (JPA) #43975319417 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE DESIGN AND CONSTRUCTION OF RUNWAY 4/22 AIRFIELD SIGNAGE & RUNWAY END IDENTIFIER LIGHTS (REIL) PROJECT AT THE FERNANDINA BEACH MUNICIPAL AIRPORT. According to the agenda support documents, Resolution 2017-04 authorizes FDOT Joint Participation Agreement #43975319417 in the amount of \$5,203 for the Design and Construction of Runway 4/22 Airfield Signage & REIL project. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-04. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.6 AGREEMENT APPROVAL – FLORIDA RESILIENCY AND ENERGY DISTRICT (FRED) – RESOLUTION 2017-05 APPROVING THE AMENDED AND RESTATED AGREEMENT RELATING TO THE CREATION OF THE FLORIDA RESILIENCY AND ENERGY DISTRICT (FRED). According to the agenda support documents, Resolution 2017-05 approves the Amended and Restated Agreement relating to the Florida Resiliency and Energy District. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-05. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.7 PURCHASE APPROVAL – BEARD EQUIPMENT COMPANY – RESOLUTION 2017-06 APPROVING THE PURCHASE OF GOLF COURSE MAINTENANCE EQUIPMENT FROM BEARD EQUIPMENT COMPANY. According to the agenda support documents, Resolution 2017-06 authorizes the purchase of maintenance equipment in an amount not to exceed \$75,510 from Beard Equipment Company. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-06. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.1 SEWER, REFUSE, AND STORM WATER FEE EXEMPTION GUIDELINES – RESOLUTION 2017-07 AMENDING THE SEWER AND REFUSE FEE EXEMPTION GUIDELINES AND ADDING A STORM WATER FEE EXEMPTION. According to the agenda support documents, Resolution 2017-07 approves the amended guidelines for Sewer and Refuse Exemption, and adds a Storm Water Fee Exemption. City Manager Martin explained this is a result of budget discussions during budget preparation. The City Commission has routinely budgeted \$25,000 per year in order to provide sewer and refuse fee relief to the aged and the poor. Upon review, the City was not spending all the budgeted monies to help those in need. With the assistance of City employees Ms. Melissa Howard and Ms. Nicole Bednar the guidelines were revised so more residents are eligible for the fee exemption(s). **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger to approve Resolution 2017-07. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried**

7.2 AGREEMENT APPROVAL – FLORIDA DEPARTMENT OF ENVIRONMENTAL

PROTECTION (FDEP) – RESOLUTION 2017-08 AUTHORIZING GRANT AGREEMENT NO. 13NA2 TO CONTINUE FUNDING FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) BEACH MANAGEMENT PROGRAM FOR THE NASSAU COUNTY SHORE PROTECTION PROJECT. According to the agenda support documents, Resolution 2017-08 authorizes Grant Agreement 13NA2 with the Florida Department of Environmental Protection. City Manager Martin commented this is utilizing a placeholder for the beach renourishment from the Navy and establishing the funding ratio and a place holder for the grant funds through the FDEP. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-08. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.3 AWARD OF BID # 16-18 – HARBOR MARINE DOCK COMPANY, INC. – RESOLUTION 2017-09 AWARDED BID #16-18 TO HARBOR MARINE DOCK COMPANY, INC. FOR THE FERNANDINA HARBOR MARINA MINOR REPAIRS PROJECT. According to the agenda support documents, Resolution 2017-09 awards Bid #16-18 to Harbor Marine Dock Company, Inc. for the Fernandina Harbor Marina Minor Repairs Project. City Manager Martin explained the City went out to bid for several minor improvements needed as a result of damages sustained during Hurricane Matthew. The City is recommending award to the Harbor Marine Dock Company in the amount of \$99,800. The City expects seventy-five to eighty percent of these monies will be reimbursed by the Federal Emergency Management Agency and the State of Florida. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger to approve Resolution 2017-09. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.4 AGREEMENT EXTENSION – O'BRIEN'S RESPONSE MANAGEMENT, LLC – RESOLUTION 2017-10 EXTENDING THE AGREEMENT WITH O'BRIEN'S RESPONSE MANAGEMENT, LLC FOR 1-YEAR FOR THE PURPOSE OF DISASTER DEBRIS MONITORING SERVICES. According to the agenda support documents, Resolution 2017-10 retroactively approves the one year extension and the Second Amendment to Agreement for Debris Monitoring Services with O'Brien's Response Management, LLC with the "not to exceed" total contract amount of \$225,000. City Attorney Bach noted this is an extension of the one year debris collection agreement. This is something she (City Attorney Bach) and City Manager Martin signed off on in September in order to get this moving so they are asking for retroactive approval. **A motion was made Commissioner Miller, seconded by Commissioner Poynter to approve Resolution 2017-10. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

8.1 PERSONNEL POLICY MANUAL AMENDMENT – ORDINANCE 2017-01 RESTATING AND AMENDING THE CITY'S PERSONNEL POLICY MANUAL; PROVIDING FOR AMENDMENTS BY RESOLUTION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES, RESOLUTIONS AND POLICIES IN CONFLICT HERewith. City Attorney Bach read Ordinance 2017-01 by title only which was as follows: "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, RESTATING AND AMENDING THE CITY'S PERSONNEL POLICY MANUAL; PROVIDING FOR AMENDMENTS BY RESOLUTION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES, RESOLUTIONS AND POLICIES IN CONFLICT HERewith; AND

PROVIDING FOR AN EFFECTIVE DATE.” City Manager Martin noted while most of the proposed changes are minor administrative or stylistic in nature, the most notable changes include:

- Section 209, Pay, Performance Evaluations, and Increases: add verbiage clarifying eligibility, amend percentages for merit pay increases, amend lump sum awards for employees who have reached maximum pay within pay grade, and clarify special merit criteria for employees achieving a certification or license deemed valuable to the City.
- Section 304, Paid Time Off: add a category to PTO accrual for 10–15 years (28 days); increase “15-or more years” category from 30 to 32 days.
- Section 305, Sick Leave Benefits: incorporate Ordinance 2012-11 language regarding sick leave sell-back benefits.
- Section 307, Holidays: add Presidents Day (third Monday in February) as recognized holiday and clarify regular part-time employee eligibility for holiday pay.
- Section 310, Bereavement Leave: increase paid bereavement leave for immediate family member from three to five days.
- Section 502, Work Schedules: establish standard work schedules for most administrative employees.
- Section 510, Emergency Closings: remove pay for hourly employees who do not work during emergency closures.

After some discussion among the Commissioners a motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve the Personnel Policy Manual amendments as submitted excluding Presidents Day being added as a paid employee holiday. Vote upon passage of the motion was taken by ayes and nays and was as follows:

Vice Mayor Kreger:	Aye
Commissioner Poynter:	Aye
Commissioner Miller:	Nay
Commissioner Smith:	Aye
Mayor Lentz:	Aye

Motion carried.

8.2 COMPREHENSIVE PLAN AMENDMENT – DOWNTOWN DENSITY - ORDINANCE 2017-02 AMENDING THE COMPREHENSIVE PLAN BY STRIKING POLICY 1.04.05 COMMUNITY REDEVELOPMENT AREA DENSITY BONUS INCENTIVE PROGRAM AND AMENDING POLICY 1.07.09 TO INCREASE THE BASE DENSITY WITHIN THE CENTRAL BUSINESS DISTRICT. City Attorney Bach read Ordinance 2017-02 by title only which was as follows: “AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA

BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY STRIKING POLICY 1.04.05 COMMUNITY REDEVELOPMENT AREA DENSITY BONUS INCENTIVE PROGRAM AND AMENDING POLICY 1.07.09 TO INCREASE THE BASE DENSITY WITHIN THE CENTRAL BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.” According to the agenda support documents, Ordinance 2017-02 amends the Comprehensive Plan specific to downtown density. City Attorney Bach stated that procedurally Ordinance 2017-02 is at first reading, after tonight, if approved, Ordinance 2017-02 will go to the State for approval and it takes approximately forty-five days to hear back from the State so the soonest this will be before the City Commission for second reading is March 2017.

Community Development Department Senior Planner Kelly Gibson introduced herself and stated she has worked for the City for approximately nine years. She commented this topic has been discussed many times during her tenure. Ms. Gibson explained increased density downtown was set as a City Commission priority for the 2016-2017 timeframe. For at least the last ten years, this has been a topic of discussion. The proposal before the City Commission tonight is not a new figure. It’s a number that has been contemplated since 2003-2004, through visioning efforts tied to waterfront redevelopment, and the creation of the Community Redevelopment Area (CRA).

The proposed change at thirty four dwelling units per acre considers what is possible on the originally platted 25x100 foot lots of record. Historically, these 25x100 foot lots could have developed with office or retail downstairs and 2 residential units above. The ability to obtain even one dwelling unit on these lots comes from a Comprehensive Plan policy statement that honors underlying platted lots of record and allows development of a single dwelling unit. The existing zoning for the Central Business District is at eight dwelling units per acre. The “unit per acre” term is how the City sets a residential intensity factor for growth and development. It is also a term that the State looks to the City to set in order to provide meaningful and predictable development standards for growth.

Today, structures built along Centre Street can accommodate a single dwelling unit equaling roughly 2,500 square feet, if we assume the lot is fully developed. Creating a residential single unit above an existing store or office becomes financially burdensome in order to meet all building, Americans with Disability Act (ADA), and fire separation requirements. This is likely the reason we do not have many residential units in place along Centre Street today. If, however, we look toward allowing 2 dwelling units on these 25x 100 ft. lots of record the City is able to make residential living above an office or store more economically feasible.

Staff does propose extending the increased density throughout the entire Central Business District and not limiting it to simply Centre Street. Increased density within the entire district provides an opportunity for vacant and underutilized properties to redevelop with a residential component and deliver a product that the City’s urban core currently does not have available. The staff report provided as part of the backup material addresses why it is unrealistic to expect that this district could ever have buildout at maximum of 34 dwelling units per acre due to limitations tied to stormwater requirements, minimum landscaping standards, and parking needs.

Staff proposes moving forward the Comprehensive Plan piece of the overall package of changes necessary to address increased density downtown. The Land Development Code changes have been held in order to bundle those changes with additional changes to address parking impacts. Staff feels

it is critically important that those changes get completed simultaneous with the Comprehensive Plan amendment in order to address everything together.

In conclusion, Ms. Gibson stated the following several reasons why increased density is beneficial to the downtown and the City as a whole:

- allows for financially feasible and historically sensitive reuse of the City's historic structures for residential living while achieving requirements of the ADA, fire, and Florida Building codes.

- it encourages redevelopment of vacant and underutilized lots in a form and scale that is reflective of the historic pattern. All infill development- not Greenfield development or every residential unit delivered, there is likely less commercial development tied to it.

- residential dwelling units have less impact on the City's infrastructure than many commercial developments can generate.

- more people living downtown will drive the need new retail and personal services within the district; including the potential for a successful grocery store or retail pharmacy to locate within the area.

- finally, providing for opportunities to create residential housing options within the urban core adds to the vibrancy and long term sustainability of the City's downtown area while maintaining the existing character that we all love and enjoy.

Dr. Chip Ross, 210 North 3rd Street, explained Florida Statue 163.3177 states all mandatory plan amendments shall be upon the relevant and appropriate studies and data, and the copies of such studies and data shall be made available for public inspection. Dr. Ross stated he made a public records request for this material early today. Florida Statue 163.3177 also says the Comprehensive Plan shall be based upon permanent and season population estimates and projections and finally, the principle guideline standards and strategies for housing elements must be based on housing analysis. Dr. Ross requested the Planning Department produce these records/documents, as required by Statute, so that citizens may understand the basis for the density change.

Ms. Faith Ross, 210 North 3rd Street, noted she is not opposed to the increase of density of one or two units above a two story historic, commercial, downtown building. Historically speaking and for historical development, merchants families lived above the family business, however we are not talking about just the historic buildings downtown with this Comprehensive Plan change. What most people don't know is that the C-3 zoning designation already has tremendous incentives built in; all of C-3 has zero lot line development. They can also be forty-five feet tall and up until this time there was no incentive to build a four story tall building since retail uses the bottom floors. This proposal of increased density now provides an incentive for these buildings to be built four stories high for housing. There is nothing in this that prevents a builder to not put retail on the first floor.

Ms. Ross stated she has heard the argument that you can't tear down a historic building she pointed out that they can be moved and a purposeful outbreak of Formosan termites can also be particularly helpful in the removal of historic buildings since there now is a push to build four story buildings. On

page five of the agenda packet there is an historic home used as an example on a 50 X 100 foot lot; it is allowed to have five units under the new density. If it's not removed first there would be no commercial on the bottom floor, this would become a five unit apartment complex. Telling the public that the comprehensive plan change is to expand retail/commercial space may be a bit misleading. Ms. Ross is for changing the density language in the comprehensive plan to be compatible with our Historic District. We can make the density change applicable to only two story commercial buildings downtown or would it be easier to restrict the C-3 height to thirty five feet with the exception of hotels and public buildings at forty five feet? Four story buildings with no view corridors along the waterfront are not historic; they are simply poor incompatible development in the midst of an already stressed two story downtown historic district. Picture a four story hotel along the waterfront the eclipses the waterfront view corridor from residents and visitors.

Mr. Jeff Kurtz, representing Fernandina Beach Main Street, 715 Centre Street, stated this is something Main Street has supported for a long time, their motivation is to protect downtown property owners to make sure they can utilize the upper levels of their structures as much as possible, to make sure the historic buildings are cash flowing successfully and successfully maintained. Main Street also wants to make sure the merchants downtown have enough customers; we have to continue to try to support downtown businesses and downtown residents are a primary customer base which supports downtown merchants. We also know through a survey there is strong demand for people to live downtown; people want to be close to dining, entertainment, and other services in a walkable environment. There are concerns about parking which Mr. Kurtz pointed out the current number was arrived at by the 2,500 square feet currently allowing one resident, doubling that to two, is still not a lot of people in that space and in fact if there were offices in that space there would be more people in their cars coming and going, probably during peak business hours. This would likely reduce cars in the downtown area and encourage people to use their feet. As far as the noncontributing structures and the lots that are underutilized, that's something that again, we want to see those rehabilitated. The City has some great checks and balances; we have a great Historic District Council that will be very watchful of anything that comes and goes within the district.

Mr. Surgeon Richardson, 18 Harrison Creek, here tonight in support of City staff recommendations and Mr. Kurtz and his comments. It's no secret that for a city to survive there has to be a balance between residential and commercial. The City of Fernandina Beach is far weighted in commercial property. Tonight there is a good footprint in place to move forward with something that will work for everybody. He's been working with the property owner who owns the Boat House, given the C-3 zoning the property has on it now, the property owner could build a four story 50,00 square foot office building, the great thing about the proposal of the thirty four units per acre is that it actually reduces the square footage impact.

Mike McCloskey, 26 Belted Kingfisher, owner of Cayman Builders and CMR Island Properties stated his companies have purchased a number of downtown properties. Their mission has been to try to develop some desperately needed housing in the downtown area. He recently purchased the Fred's building located on the northeast corner of Ash and 8th Streets and commented the building could be left as commercial but it would be more economically sound if we they could get the thirty four units per acre which would be an opportunity to create some much needed housing for people that want to be a part of the wonderful experience we have in downtown Fernandina.

Commissioner Miller thanked Mr. McCloskey for his comments and explained he heard him speak before the Planning Advisory Board (PAB) where he (Mr. McCloskey) stated there are no plans to remove the large live oak tree located in the Fred's parking lot. Mr. McCloskey stated the tree will not be removed, that it has been inspected by an arborist and trimmed in accordance with the arborist's recommendations so that it will continue thrive and flourish.

Mr. Chip Sasser, 403 Tarpon Avenue, co-owner of the Fred's property with Ms. McCloskey, stated that one of the very first things they did upon closing was hire an arborist to check into the health and future of the tree in the Fred's parking lot. Mr. Sasser commented the tree is in good shape but needed some trimming to help reduce the effects of wind damage it suffered during Hurricane Matthew. At this time Arborist Early McCall is removing some dead foliage that could create additional rot and removing some of the moss and ferns on the limbs to help the limbs survive future impacts like Hurricane Matthew.

Mr. Sasser pointed out that density in the downtown district is City Planning 101 and is not a new novel idea as it's in most of the major urban areas of American. Mr. Sasser explained there are some increased density benefits; it allows the tax burden to be shared by a greater number of people in a smaller area and helps to reduce urban sprawl. One of the things he's not happy about when he comes to the island is being stuck in the endless line of traffic on A1A. He commented those of us lucky enough to live on the island are going to escape that; we'll be able to walk to areas of interest, use our cars less and reduce global warming.

Mr. Sasser further commented it's too late for Fernandina to roll up the bridge; the secret is out, people all over the world know this is a great place to live and visit and they are coming fast. This community has aggressively and successfully marketed itself through the multitude of Special Events, every weekend there is something neat and cool going on in this town. The first weekend in May hundreds of thousands of people are invited to enjoy this beautiful place. He doesn't see how this can continue to occur without an increase in density. In a few weeks he will join the members of 10,000 people each day turning 65 and they are all looking for neat places to live. Florida is on the radar and Fernandina is the secret that's out and the City has to plan for them as the City is proposing to do with the increased downtown density. If we want to work together to make this happen; buildings like Fred's need to be converted, we don't want Fred's to be the retail eyesore that it is now. We are at the epicenter of what can happen at the 8th Street corridor. We are just the beginning, we want to be there and we want to do it but we need your help to make it happen. But it's a math game; financially you can't do it with eight units per acre. The proposed area for density is a very small part of the city and my partners and I have spent a lot of money over the last three years buying over twenty lots in the downtown area and I would not be up here for a second promoting something like this that would hurt our small family, residential single family development.

Mr. Clinch Kavanaugh, 102 North 6th Street, explained he lives in the downtown and his family has lived on North 6th Street since 1852. He loves living downtown; it is absolutely unique. He listened to what Dr. Ross, Mrs. Ross and Mr. Spurgeon Richardson had to say and thinks there is a lot of merit to what they say. For the record, Mr. Kavanaugh stated he has represented Mr. Richardson in the past. The one planning tool the City Planning Department has never talked about using is three dimensional modeling offered by the University of Florida. Mr. Kavanaugh indicated this modeling technic would help citizens visualize what's going to happen as a result of the zoning changes.

Ms. Julie Ferreira, 501 Date Street, commented the City needs to keep the time warp ambiance of our town because that's what makes Fernandina special. She hopes this significance has not escaped anyone. Ms. Ferreira stated she does not think most people have a problem seeing density increased over the buildings on Centre Street but when you start talking about expanding it through the whole central business district; that is a little bit different. She urged City Commissioners to schedule a workshop much like the Visioning Workshops that happened in 2004 - 2005 where two to three hundred people participated in waterfront visioning. In previous Visioning Workshops, density increase standards were created so that if a developer wanted density over eight units per acre they had to do something which would bring the City closer sustainability. With the proposal now, all of the previously developed density increase standards are moot. If a developer comes in and wants more density they should be making LED certified building, installing solar panels; they should be doing something that benefits the city besides more traffic and more parking problems.

Ms. Trudy Richards, 409 Georgia Avenue, commented she does not have a problem with expanding the allowable number of people to live in the City in certain areas because she actually thinks the City ought to be able to provide a place for people to live who provide the services that for which they have to travel to deliver. Ms. Richards further commented she worries that the City's design requirements will not be rigidly observed and cited the proposed hotel concept at Alachua and 2nd Streets as an example.

Community Development Department Senior Planner Kelly Gibson wanted to make it perfectly clear that the central business district zoning does not apply across Front Street. Front Street properties are currently industrial or waterfront mixed use zoned. There are provisions in place through the Land Development Code and CRA guidelines which restrict tall buildings, preserve view corridors at intersections, midblock and access to the waterfront.

Commissioner Smith requested Centre Street maximum allowable height clarification; Ms. Gibson stated the maximum height is forty five feet.

Vice Mayor Kreger explained this matter was unanimously approved by the Planning Advisory Board. He provided a presentation on maximum allowable density within the City and expounded that over the entire City there does not appear to be a mission or a scope of where the City is going. The City needs to do a better job overall of communicating where the City is going.

Commissioner Miller inquired about the price points of the proposed residential accommodations; would they be affordable for service industry workers or more closely aligned with retirement incomes? Community Development Department Senior Planner Kelly Gibson replied pricing would be dependent upon the kind of residential product constructed. Commissioner Miller expressed concerns about residential dwellings being within close proximity to commercial businesses and asked how to preempt some of the inherent problems that will inevitably arise as a result of the comingled zoning designations. Ms. Gibson replied it is a "buyer beware" environment.

Commissioner Poynter commented he spoke with a downtown property owner earlier today who has a 2,500 square foot apartment above his business. In order to rent the apartment he would have to charge upwards of \$3,500 per month for is to make sense economically but this price point is not

feasible. The property owner would rather divide the apartment into two units but present zoning allowances prohibit the increased density. Commissioner Poynter went on to say everyone wants affordable housing downtown and there is a huge need for it but the city is not doing anything to try to make it happen; that's why this Commission, during its Visioning Workshop last year, set a goal to increase the downtown density.

Mayor Lentz stated she knows this is an issue that has been talked a number of times with Main Street and the CRA, if approved there are still a lot of design requirements which help protect the community and keep it safe. She is still a little concerned about the parking requirements; they are going to be a barrier to make this come to fruition. **A motion was made Commissioner Poynter, seconded by Commissioner Miller to approve Resolution 2017-10. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

9.1 ARTS AND CULTURE NASSAU: According to the agenda support documents there was one appointment for Arts and Culture Nassau. **A motion was made by Commissioner Poynter, seconded by Commissioner Smith to appoint Ms. Marge Powell to Arts and Culture Nassau. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

10. CITY MANAGER REPORTS

SPECIAL EVENT: City Manager Martin congratulated the Shrimp Drop Special Event sponsors: Parks and Recreation Department, Light Up Amelia, Florida Public Utilities, and First Coast Community Bank for a successful and well attended New Year's Eve event.

CHAMBER OF COMMERCE AWARDS GALA: City Manager Martin reminded all to attend the Chamber of Commerce Awards Gala Friday, January 6, 2017 at 6:30 pm at the Omni Amelia island Plantation.

CITY OFFICES CLOSED/PARADE: City Manager Martin announced City offices will be closed Monday, January 16, 2017 in observance of Reverend Dr. Martin Luther King Jr. Day and the Reverend Dr. Martin Luther King Jr. Day Parade will be held Monday, January 16, 2017 at 12 noon.

SPECIAL MEETINGS: City Manager Martin provided the City Commissioners with draft agendas related to the City Commission Special Meetings/Workshops to be held January 10th and 24th. These documents are intended for garner information related to the Special Meetings/Workshop talking points.

CITY COMMISSION GOALS: City Manager Martin provided the City Commissioners with draft City goals along with tentative City goal timelines to be formally submitted for City Commission approval at a later date.

11. CITY ATTORNEY REPORTS

MUNICIPAL SERVICES TAXING UNIT: City Attorney Bach stated she made contact with Nassau County Manager Ms. Shanea Jones regarding the Municipal Services Taxing Unit distribution monies.

Ms. Jones office has not passed the matter off County Attorney Mike Mullin as yet but she (City Attorney Bach) will take the lead on the project.

SUBMERGED LANDS: City Attorney Bach commented she will be filing a Butler Act Claim for the submerged lands located at the “Venturo” property which was recently acquired by the City.

12. CITY CLERK REPORTS

MEDIA DOCUMENTS: City Clerk Best stated to members of the media present that she had copies of City Manager Martin’s draft goals, timelines and workshop agendas to provide for their perspective publications.

WELCOME: City Clerk Best announced Administrative Specialist Ms. Virginia (Gigi) Hudecki’s first day in the City Clerk’s Office was January 2nd and asked the Commissioners to join in welcoming Ms. Hudecki to the City of Fernandina Beach work family when they see her.

13. MAYOR/COMMISSIONER COMMENTS

SHRIMP DROP SPECIAL EVENT: Commissioner Miller congratulated all involved for a successful New Year’s Eve Shrimp Drop Special Event, especially Parks and Recreation employee Mr. Jay Robertson for going above and beyond while wearing a shrimp costume.

DICKENS ON CENTRE SURVEY: Commissioner Miller asked those in attendance and those watching from home to please complete the Dickens on Centre Special Event survey emailed to them by Main Street Director Mr. Jeff Kurtz. Responses will help organizers improve future events.

SEWER AND REFUSE EXEMPTION OUTREACH: Commissioner Miller requested City Manager Martin place the Sewer and Refuse Exemption application, process, and other pertinent information on the City’s website and other media outlets.

SOCIAL MEDIA OUTREACH: Commissioner Miller explained the City of Fernandina Beach could do a much better job utilizing social media as a means of reaching residents and requested efforts in this area be stepped up.

SOCIAL MEDIA OUTREACH: Commissioner Poynter commented he has spoken with Community Development Planner Ms. Kelly Gibson regarding the amount of misinformation the public seems to regularly receive about City activities and projects. Commissioner Poynter recommended a way to combat the misinformation is to utilize the City’s Facebook page to post facts related to matters under City Commission consideration.

MONTHLY MEETING: Commissioner Poynter explained he will have his monthly meeting this Thursday at Café Karibo. He invited citizens to attend, express their concerns and enjoy cookies and tea.

SHRIMP DROP SPECIAL EVENT: Commissioner Poynter congratulated special event organizers on a successful New Year’s Eve Shrimp Drop Special Event.

SEA LEVEL RISE WORKSHOP: Vice Mayor Kreger commented that on January 23rd the City is hosting a sea level rise workshop along with the Northeast Florida Regional Council in Commission Chambers.

NASSAU COUNTY LEGISLATIVE DELEGATION: Vice Mayor Kreger explained the Nassau County Legislative Delegation meets this Thursday, January 5th at 4 pm in the Nassau County Chambers to discuss moving forward with the port master plan.

REVEREND DR. MARTIN LUTHER KING JR. BREAKFAST AND PARADE: Vice Mayor Kreger announced he will be attending the Reverend Dr. Martin Luther King Jr. Parade January 16, 2017 at 12 noon and the Reverend Dr. Martin Luther King Jr. breakfast to be held Saturday, January 14th, 8:30 am at the Atlantic Avenue Recreation Center.

HAPPY NEW YEAR: Mayor Lentz wished everyone a Happy New Year.

SOCIAL MEDIA BREAK: Mayor Lentz explained she recently decided to take a break from social media in response to the misinformation and negativity routinely conveyed therein. Mayor Lentz will begin writing a monthly column for local news outlets, the first of which will be about why she chose to take a respite from social media for the time being. She cares about the community and her children and wants to set a good example for both.

ADJOURNMENT: There being no further business to come before the City Commission the meeting was adjourned at 8:09pm.

ATTEST:

CAROLINE BEST
City Clerk

ROBIN C. LENTZ
Mayor-Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution 2017-31
Facilities Use Agreement - Driving Dynamics, Inc.

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-31

SYNOPSIS: Driving Dynamics, Inc. has requested to use Airport property at the Fernandina Beach Municipal Airport (FHB) to conduct defensive driver safety training on June 12 and 13, 2017. The Airport property to be used will be the pavement area of remote parking area between Runway 9 and Runway 4. Such training activity will not affect normal operations of the airport.

The City of Fernandina Beach will receive \$925.00 for this use of Airport property.

FISCAL IMPACT: The designated monies will be deposited into the Airport Fund, Other Revenue Account No. 420-369-9000.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-31.

Dale Martin, City Manager

Tammi Bach, City Attorney

Patti Clifford, Comptroller

Date: 3/1/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A FACILITIES USE AGREEMENT WITH DRIVING DYNAMICS, INC. FOR THE USE OF AIRPORT PROPERTY TO CONDUCT DEFENSIVE DRIVER SAFETY TRAINING; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Driving Dynamics, Inc. has requested to use Airport property at the Fernandina Beach Municipal Airport to conduct defensive driver training on June 12 & 13, 2017; and

WHEREAS, such use of Airport property will be the pavement area of remote parking area between Runway 9 and Runway 4 and such training activity will not affect normal operations of the Airport; and

WHEREAS, the City of Fernandina Beach will receive \$925.00 for each day of use of Airport property; and

WHEREAS, the designated monies will be deposited into the Airport Fund, Other Revenue Account No. 420-369-9000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves a Facilities Use Agreement, attached hereto as "Exhibit A", with Driving Dynamics, Inc. for defensive driver training at the Fernandina Beach Municipal Airport.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute said agreement, upon review and approval by the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

CITY OF FERNANDINA BEACH FACILITIES USE AGREEMENT

This FACILITIES USE AGREEMENT (herein after called the AGREEMENT) is made and entered into this 1st day of December, 2016, by and between the CITY OF FERNANDINA BEACH, a Florida municipal corporation, whose address is 204 Ash Street, Fernandina Beach, FL 32034 (herein called "CITY"), and (Driving Dynamics, Inc.
whose address is 256 Chapman Road, suite 202,
Newark, DE 19702 (herein called "USER").

WHEREAS, CITY owns, controls and operates that certain public facility known as the Fernandina Beach Municipal Airport (herein called "FACILITY"); and

WHEREAS, USER has expressed a desire to use said FACILITY to Conduct Defensive Driver Safety Training Classes.

NOW, THEREFORE, the parties agree as follows:

1. USER shall be permitted to use the FACILITY described above for the purpose of Defensive Driver Safety Training Class on June 12 & 13, 2017.
2. USER will set up and use the FACILITY on a continuous basis during this period on the remote parking pavement area between Runway 8/26 and Taxiway C.
3. USER shall pay CITY the sum of \$925__ for use of FACILITY during the period designated, payable with returning this signed AGREEMENT.
4. As condition to USER's right to use the facilities herein, USER agrees to and shall comply with the following:
 - a. USER shall not exclude any person from its services because of race, sex, age, religion, disability, national origin or other prohibited discrimination.
 - b. USER shall have competent, responsible, and able supervision on the premises at all times that its service is operational.
 - c. USER shall not interfere with emergency operations of CITY or other authorized users of the FACILITY.
 - d. USER shall keep premises in a clean and sanitary condition, and be responsible for cleanup on a daily basis and removal of temporary structures at the site upon completion of the event and returning property to same condition as when received.
 - e. CITY shall have the right, acting through its agents or employees, to enter upon the premise at reasonable hours and times for the purpose of making inspections.
 - f. USER will obtain all required Federal, State, County and City permits including any applicable fees.
 - g. USER shall not undertake any alterations or changes in the construction of the facility premises, without prior written consent of CITY.
 - h. USER agrees to assume liability for and indemnify, hold harmless, and defend the CITY, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, arising directly or indirectly out of or in connection with any negligent and/or deliberate act or omission of USER, its officers, employees, agents, and representatives. USER's liability hereunder shall include all attorney's fees and costs incurred by the CITY in the enforcement of

this indemnification provision. This includes claims made by the employees of USER against the CITY and USER hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement. Nothing contained in the foregoing indemnification shall be construed to be a waiver of any immunity or limitation of liability the CITY may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

- i. USER shall not rent, sublet, or assign space in the FACILITY premises without the prior written consent of CITY.
- j. USER has priority over the portion of the FACILITY as described during the time agreed upon in this AGREEMENT, and can use specified areas during the time of this AGREEMENT.
- k. CITY reserves the right to cancel this AGREEMENT at any time, without cause, by giving USER 30 days notice of such cancellation.
- l. USER shall maintain liability insurance, in amounts as deemed necessary and appropriate by the City Attorney, show the CITY as additional insured thereon, and shall provide proof of it to CITY, upon commencement of this AGREEMENT, and thereafter, as required by CITY. USER will provide insurance on all their equipment being used in the FACILITY.
- m. USER shall, at all times, abide by Federal, State, and local laws, in the operation of its programs or services at the FACILITY. Sale and/or consumption of alcohol not allowed on Airport property unless properly permitted by the City.

5. Term of Agreement: The term of the AGREEMENT is as noted in paragraphs 1 and 2 above, unless terminated sooner.

6. The addresses for giving notices are as follows:

USER: ___ Paul Andreas for Driving Dynamics
___ 256 Chapman Road, Suite 202
___ Newark, DE 19720

CITY: City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Attn: City Manager

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day and year first above written.

USER: Paul Andreas

CITY OF FERNANDINA BEACH

By: ___ Paul Andreas _____

By: _____

Its: ___ Logistics Manager _____

Dale L. Martin
Its: City Manager

___ 101 _____
Employer ID #

By: _____
Caroline Best
Its: City Clerk

WITNESS:

APPROVED AS TO FORM AND LEGALITY:

Print Name: _____

Tammi E. Bach
Its: City Attorney



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/29/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Insurance Associates, Inc. 525 State Route 33 Millstone Twp. NJ 08535		CONTACT NAME: Kathleen Samodio PHONE (A/C No. Ext): (732) 792-7000 E-MAIL: ksamodio@lianet.com ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Citizens Insurance of America INSURER B: Hanover Insurance INSURER C: INSURER D: INSURER E: INSURER F:		FAX (A/C No.): NAIC # 31534 22292
INSURED Driving Dynamics, Inc. 256 Chapman Road Suite 202 Newark DE 19702				

COVERAGES

CERTIFICATE NUMBER: 16/17 Master

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY		ZBY885271505	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
	☒ Participant Legal Liab	MED EXP (Any one person) \$ 10,000				
	☒ Per Project Aggregate	PERSONAL & ADV INJURY \$ 1,000,000				
GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	☐ POLICY ☒ PRO-JECT ☐ LOC					PRODUCTS - COMP/OP AGG \$ Included
	OTHER:					Employee Benefits \$ 1,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO					BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☐ SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						\$
B	☒ UMBRELLA LIAB	☒ OCCUR	UHY878487505	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 4,000,000
	☐ EXCESS LIAB	☐ CLAIMS-MADE				AGGREGATE \$ 4,000,000
	DED ☒ RETENTION \$ 0					\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	☐ Y/N ☒ N/A	WHY906675203	4/9/2016	4/9/2017	☒ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Fernandina Beach included as additional insured if required in s a written contract with our named insured subject to the policy terms and conditions. Attached additional insured form CG2026 07/04, CG2010 07/04 and CG2033 07/04 applies for General Liability.

CERTIFICATE HOLDER**CANCELLATION**

Fernandina Beach Municipal Airport 204 Ash Street Fernandina Beach , FL 32034	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE K Samodio/ADAVID

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**COMMERCIAL GENERAL LIABILITY
CG 20 33 07 04**

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – AUTOMATIC STATUS WHEN
REQUIRED IN CONSTRUCTION AGREEMENT WITH YOU**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. Section II – Who Is An Insured is amended to include as an additional insured any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

1. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
 - a. The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
 - b. Supervisory, inspection, architectural or engineering activities.
2. "Bodily injury" or "property damage" occurring after:
 - a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
 - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: **Resolution 2017-32**
 Disposal of Surplus Property

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-32

SYNOPSIS: Attached is a list of titled vehicle(s) and equipment (Exhibit "A") that are recommended for surplus. The City's Purchasing Policies and Procedures Manual (approved by Resolution 2010-38) require that the City Commission declared titled vehicles and equipment as surplus prior to proceeding with disposal. These items will be auctioned off by competitive bid.

FISCAL IMPACT: Revenues from the sales of the surplus items will be attributed to the associated fund (General or specific Enterprise).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-32.

Dale Martin, City Manager

Tammi Bach, City Attorney

Patti Clifford, Comptroller

Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, DECLARING CERTAIN TITLED CITY PROPERTY SURPLUS; AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID PROPERTY IN A MANNER CONSISTENT WITH THE CITY'S POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's Purchasing Policies and Procedures Manual and Purchasing code was revised and approved by Resolution #2010-38 and provides detail for the disposal of City-owned property; and

WHEREAS, City staff has identified certain titled property to be declared surplus and disposed of using the best means and practices available; and

WHEREAS, Exhibit "A" provides a listing and detail of the property that staff is requesting to be declared as surplus.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby finds that the titled property contained in Exhibit "A", attached hereto and made a part of this Resolution, is hereby declared surplus and may be disposed in a manner consistent with the City's Policies and Procedures.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute all documentation pertaining to the disposal of said property, upon the review and approval of the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best

Tammi E. Bach

City Clerk

City Attorney

Resolution 2017-32
Exhibit "A"

[illegible]

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2017-33
Facilities Use Agreement - Florida Army National Guard

ITEM TYPE: Consent Agenda

REQUESTED ACTION: Adopt Resolution 2017-33

SYNOPSIS: The 2-111th Regiment, Airfield Operations Battalion, Florida Army National Guard wishes to provide local Airport advisory services at the Fernandina Beach Municipal Airport during the 2016 Amelia Island Concourse d'Elegance (March 10-12, 2017).

Aviation support will include Instrument Flight Rules (IFR) Clearance Delivery, and IFR arrival down time reports in support of Federal Aviation Administration (FAA), Air Traffic Services (ATS) and general aviation use relating to the Airport. No fee will be charged to the Florida Army National Guard since they are providing a free service to the City during this eventful time.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-33.

Dale Martin, City Manager
Tammi Bach, City Attorney
Patti Clifford, Comptroller

Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A FACILITIES USE AGREEMENT FOR THE 2-111TH REGIMENT, AIRFIELD OPERATIONS BATTALION, FLORIDA ARMY NATIONAL GUARD TO PROVIDE LOCAL AIRPORT ADVISORY SERVICES DURING THE 2017 AMELIA ISLAND CONCOURSE D'ELEGANCE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 2-111th Regiment, Airfield Operations Battalion, Florida Army National Guard wishes to provide local Airport advisory services at the Fernandina Beach Municipal Airport during the 2017 Amelia Island Concourse d'Elegance (March 10-12, 2017); and

WHEREAS, aviation support will include Instrument Flight Rules (IFR) Clearance Delivery, and IFR arrival down time reports in support of Federal Aviation Administration (FAA), Air Traffic Services (ATS) and general aviation use relating to the Airport; and

WHEREAS, no fee will be charged to the Florida Army National Guard since they are providing a free service to the City during this eventful time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves the Facilities Use Agreement, attached hereto as Exhibit "A", for the 2-111th Regiment, Airfield Operations Battalion, Florida Army National Guard to provide local Airport advisory services at the Fernandina Beach Municipal Airport during the 2017 Amelia Island Concourse d'Elegance.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute said agreement, upon review and approval by the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

CITY OF FERNANDINA BEACH FACILITIES USE AGREEMENT

This FACILITIES USE AGREEMENT (herein after called the AGREEMENT) is made and entered into this 21 day of February, 2017, by and between the CITY OF FERNANDINA BEACH, a Florida municipal corporation, whose address is 204 Ash Street, Fernandina Beach, FL 32034 (herein called "CITY"), and 2-111th Aviation Regiment, Airfield Operations Battalion, Florida Army National Guard whose address is 5629 SR 16 W, Building 3581, Starke, FL 32091 (herein called "USER").

WHEREAS, CITY owns, controls and operates that certain public facility known as the Fernandina Beach Municipal Airport (herein called "FACILITY"); and

WHEREAS, USER has expressed a desire to use said FACILITY to provide local airport advisory services, Instrument Flight Rules (IFR) Clearance Delivery, and IFR arrival downtime reports in support of Federal Aviation Administration (FAA), Air Traffic Services (ATS) and general aviation use relating to the FACILITY during the Concours d'Elegance. FACILITY utilization by the USER will be March 6-13, 2017.

NOW, THEREFORE, the parties agree as follows:

1. USER shall be permitted to use the FACILITY described above for the purpose of providing local airport advisory services, Instrument Flight Rules (IFR) Clearance Delivery, and IFR arrival downtime reports in support of Federal Aviation Administration (FAA), Air Traffic Services (ATS) and general aviation activity. Equipment set up and take down will occur no earlier than March 6 and no later than March 13, 2017. Aviation support activities will occur March 7-12, 2017.
2. USER will set up and use the FACILITY on a continuous basis during this period. USER equipment will be established within near vicinity to the AWOS. Equipment will be established in such a way that it will not occupy available aircraft ramp parking space.
3. USER shall pay CITY the sum of \$ N/A for use of FACILITY during the period designated, payable with returning this signed AGREEMENT.
4. As condition to USER's right to use the facilities herein, USER agrees to and shall comply with the following:
 - a. USER shall not exclude any person from its services because of race, sex, age, religion, disability, national origin or other prohibited discrimination.
 - b. USER shall have competent, responsible, and able supervision on the premises at all times that its service is operational.
 - c. USER shall not interfere with emergency operations of CITY or other authorized users of the FACILITY.
 - d. USER shall keep premises in a clean and sanitary condition, and be responsible for cleanup on a daily basis and removal of temporary structures at the site upon completion of the event and returning property to same condition as when received.
 - e. CITY shall have the right, acting through its agents or employees, to enter upon the premise at reasonable hours and times for the purpose of making inspections.
 - f. USER will obtain all required Federal, State, County and City permits including any applicable fees.
 - g. USER shall not undertake any alterations or changes in the construction of the facility premises, without prior written consent of CITY.
 - h. ~~USER agrees to assume liability for and indemnify, hold harmless, and defend the CITY, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all~~

~~claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, arising directly or indirectly out of or in connection with any negligent and/or deliberate act or omission of USER, its officers, employees, agents, and representatives. USER's liability hereunder shall include all attorney's fees and costs incurred by the CITY in the enforcement of this indemnification provision. This includes claims made by the employees of USER against the CITY and USER hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement. Nothing contained in the foregoing indemnification shall be construed to be a waiver of any immunity or limitation of liability the CITY may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.~~

- i. USER shall not rent, sublet, or assign space in the FACILITY premises without the prior written consent of CITY.
 - j. USER has priority over the portion of the FACILITY as described during the time agreed upon in this AGREEMENT, and can use specified areas during the time of this AGREEMENT.
 - k. CITY reserves the right to cancel this AGREEMENT at any time, without cause, by giving USER 30 days notice of such cancellation.
 - ~~l. USER shall maintain liability insurance, in amounts as deemed necessary and appropriate by the City Attorney, show the CITY as additional insured thereon, and shall provide proof of it to CITY, upon commencement of this AGREEMENT, and thereafter, as required by CITY. USER will provide insurance on all their equipment being used in the FACILITY.~~
 - m. USER shall, at all times, abide by Federal, State, and local laws, in the operation of its programs or services at the FACILITY. Sale and/or consumption of alcohol not allowed on Airport property unless properly permitted by the City.
5. Term of Agreement: The term of the AGREEMENT is as noted in paragraphs 1 and 2 above, unless terminated sooner.

6. The addresses for giving notices are as follows:

USER: 2-111TH AVN (AOB)
5629 State Road 16 West, Building 3581
Starke, FL 32091
Attn: Commander

CITY: City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Attn: City Manager

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day and year first above written.

USER: 2-111TH AVN (AOB)

By: Lynn A. Pate
Lynn A. Pate, Lieutenant Colonel
Its: Commander
Employer ID #

CITY OF FERNANDINA BEACH

By: _____
Dale L. Martin
Its: City Manager N/A
By: _____
Caroline Best
Its: City Clerk

WITNESS:

Alan Denny
Print Name: Alan Denny

APPROVED AS TO FORM AND LEGALITY:

JEBR
Tammi E. Bach
Its: City Attorney



REPLY TO
ATTENTION OF

DEPARTMENT OF MILITARY AFFAIRS
FLORIDA ARMY NATIONAL GUARD
2-111th AVIATION REGIMENT (AOB)
5629 STATE ROAD 16 W., BUILDING 3581
STARKE, FL 32091-9703

NGFL-BAA-ACD

21 Feb 2017

MEMORANDUM FOR CITY OF FERNANDINA BEACH, FLORIDA

FROM: 2-111th AVN (AOB)

5629 SR 16 W, Bldg 3581

Starke, FL 32091

SUBJECT: Self Insurance Statement

1. During the period of, 6-13 March 2017, the 2-111th AVN (AOB) will perform Annual ATC Services at the Fernandina Beach Municipal Airport, FL. The purpose of this letter is to provide you the necessary documentation establishing that the United States Military, including the Florida National Guard, is a self insured entity.
2. If at any time a member of the 2-111th AVN (AOB) becomes injured or ill for any reason during the course of their military duties at the Fernandina Beach Municipal Airport, the United States Army and the Florida Army National Guard will be responsible for all claims. The City of Fernandina Beach will be relieved of financial responsibility resulting in personal injury or illness and equipment damage. The United States Army and the Florida National Guard will bear the responsibility to process and administer any such circumstances.
3. If you have any questions or concerns regarding this correspondence please contact LTC Lynn A. Pate at (904) 669-5544 or lynn.a.pate.mil@mail.mil.

LYNN PATE
LTC, AV, FLARNG
COMMANDER

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution 2017-34
Budget Amendment – Police Department

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-34

SYNOPSIS: According to Code Sec 2-412 and Charter section 74, the City Commission must approve any budget transfers over \$7,500. The purpose of the above budget transfer is to transfer funds for the purchase of night vision equipment as provided in the Navy Land Based Law Enforcement contract.

FISCAL IMPACT: The purchase of the night vision equipment was included in the FY 2016/2017 budget; however, it was classified as a capital purchase. This budget amendment provides for the proper classification on non-capital equipment purchases.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend the City Commission adopt proposed Resolution 2017-34.

Dale Martin, City Manager

Tammi Bach, City Attorney

Patti Clifford, Comptroller

Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE POLICE DEPARTMENT LAW ENFORCEMENT RECOVERY FUND BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the purchase of night vision equipment is required as part of the Navy Land Based Law Enforcement contract; and

WHEREAS, the FY 2016/2017 Police Department budget did include funds for the night vision equipment as a capital purchase; and

WHEREAS, staff recommends the following budget amendment to allow the transfer of \$8,000 from Equipment 190-2140-521.6400 to the Non Capital Equipment account 190-2140-521.6401.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves the following budget amendment: a transfer of \$8,000 from the Law Enforcement Recovery Fund capital account, 190-2140-521.6400 to the Non Capital Equipment account, 190-2140-521.6401.

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 7th day of March, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



Tammi E. Bach
City Attorney

**CITY OF FERNANDINA BEACH
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 2/1/2017

DEPARTMENT: Law Enforcement Recovery Fund

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

FROM	TO	AMOUNT
190-2140-521.6400 Equipment	190-2140-521.6401 Non Capital Equipment	8,000

REASON FOR TRANSFER:

To transfer funds for proper classification of non-capital equipment purchase.



DEPT DIRECTOR

2/9/17

DATE

RECOMMENDATIONS/COMMENTS: _____



COMPTROLLER

2/2/17

DATE

CITY MANAGER

DATE

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Budget Amendment – Police Department

2017-35

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-35

SYNOPSIS: According to Code Sec 2-412 and Charter section 74, the Commission must approve any budget transfers over \$7,500. The purpose of the above budget transfer is to transfer funds for the unexpected and unbudgeted plumbing replacement in the Police buildings.

FISCAL IMPACT: Replacing the plumbing in the Police building will extend the life of the building and is a significant amount of money. As a result, the work, estimated to cost \$40,000 will be capitalized and charged to the Police Improvements account, 001-2100-521.6300.

Because this was not anticipated in the FY 2016-2017 budget, a budget transfer is needed. Funds are available to be transferred from the General Fund Contingency account. Staff recommends the budget transfer for the needed plumbing repairs/replacement from the Contingency account, 001-8200-581.9900.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend the City Commission adopt proposed Resolution 2017-35.

Dale Martin, City Manager
Tammi Bach, City Attorney
Patti Clifford, Comptroller

Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE GENERAL FUND BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the copper plumbing at the Police building is failing and there have been several leaks in recent months; and

WHEREAS, the FY 2016/2017 Police budget does not include sufficient funds to cover the necessary repairs to the plumbing system; and

WHEREAS, staff recommends the following budget amendment to allow the transfer of \$40,000 from the General Fund Contingency account, 001-8200-581.9900, to the Police Improvements account, 001-2100-521.6300 for the plumbing work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves the following budget amendment: a transfer of \$40,000 from the General Fund Contingency account, 001-8200-581.9900, to the Police Improvements account, 001-2100-521.6300.

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 7th day of March, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



Tammi E. Bach
City Attorney

**CITY OF FERNANDINA BEACH
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 2/9/2017

DEPARTMENT: Police

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

FROM	TO	AMOUNT
001-8200-581.9900 Contingency	001-2100-521.6300 Police Improvements	40,000

REASON FOR TRANSFER:

To transfer funds for the unexpected and unbudgeted plumbing relacement in the Police building.

 2/9/17

DEPT DIRECTOR DATE

RECOMMENDATIONS/COMMENTS: _____

 2/9/2017

COMPTROLLER DATE

CITY MANAGER DATE

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: **Adopt Resolution 2017-36**
Task Order 2017-01 Approval - Olsen Associates, Inc. and
Budget Amendment

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-36

SYNOPSIS: The Florida Department of Environmental Protection (FDEP) entered into Grant Agreement 13NA2 with the City of Fernandina Beach on January 18, 2017, having a retroactive start date of October 1, 2016 (approved by the City Commission via Resolution 2017-08).

Olsen Associates, Inc. has submitted Task Order 2017-01 in the amount of \$9,964 for professional coastal engineering services related to post-Hurricane Matthew storm impact analyses which is one of the deliverables required by the FDEP contract and cost-shared by FDEP @ 46.44%.

As this unanticipated expenditure was not budgeted for fiscal year 2016-2017, a budget amendment to transfer funds is needed.

FISCAL IMPACT: This Task Order was not anticipated in the Fiscal Year 2016/2017 Budget. As a result, a Budget Amendment is required. Staff recommends transferring \$10,000 from the Capital Improvement's Reserve Account, 300-3000-581.9520 to the Beach Renourishment Account, 300-3000-572.6426.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-36.

Dale Martin, City Manager
Tammi Bach, City Attorney
Tammi E. Bach, City Attorney Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING TASK ORDER #2017-01 WITH OLSEN ASSOCIATES, INC. FOR THE NASSAU COUNTY SHORE PROTECTION ALTERNATE RENOURISHMENT PROJECT; AUTHORIZING EXECUTION; APPROVING A BUDGET AMENDMENT FOR UNANTICIPATED GRANT REVENUE AND BEACH CONSTRUCTION PAYMENTS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 3, 2017 (Resolution 2017-08), the City Commission of the City of Fernandina Beach approved grant agreement 13NA2 with the Florida Department of Environmental Protection (FDEP) for the Nassau County Shore Protection Project; and

WHEREAS, the City has an agreement with Olsen Associates, Inc. to provide coastal engineering services, of which the Scope of Services is consistent with the FDEP grant agreement 13NA2; and

WHEREAS, Task Order #2017-01 authorizes Olsen Associates, Inc. to provide professional coastal engineering services related to post-Hurricane Matthew storm impact analyses for a cost of \$9,964 of which FDEP will pay \$4,627.28 (46.44%) and the local cost share will be \$5,336.72 (53.56%) to be divided equally between the City and Nassau County; and

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, because this task order was not anticipated in the fiscal year 2016/2017 budget a budget amendment is required. Staff recommends transferring \$10,000 to the Beach Renourishment account, 300-3000-572, from the Capital Improvement Reserve account, 300-3000-581.9520 for the additional task order.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby approves Task Order #2017-01 with Olsen Associates, Inc. for coastal engineering services for the Nassau County Shore Protection Project, attached hereto as Exhibit "A".

SECTION 2. The City Manager and City Clerk are hereby authorized to execute the 2017-01 Task Order Memorandum, upon review and approval by the City Attorney.

SECTION 3. The City Commission hereby approves an amendment to the Fiscal Year 2016/2017 budget by transferring \$10,000 to the Beach Renourishment account, 300-3000-572.6426, from the Capital Improvement Reserve account, 300-3000-581.9520.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

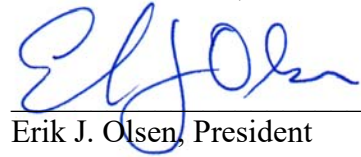
CITY OF FERNANDINA BEACH
Task Order Memorandum

To:	Olsen Associates, Inc. 2618 Herschel Street Jacksonville, FL 32204	Date:	9 February 2017
		Contract:	Coastal Engineering
		Request Made By:	Dale L. Martin, City Mgr.
		Request Received By:	Erik J. Olsen, P.E.
		Task Order No.	2017-01

Task Order Descriptions: Professional Coastal Engineering Services
Related to Post-Matthew Storm Impact Analyses
(FDEP 13NA-2)

The Consultant shall provide coastal engineering professional services related to a Post-H. Matthew storm analysis of impacts to the Nassau County Shore Protection Project. Limited surveys of the beach are provided. The reconnaissance level work product (submitted to City and U.S. Army COE) shall be a brief Memorandum-of-Findings. The Lump Sum cost shall be \$9,964.00. This work is subject to cost sharing by FDEP.

Olsen Associates, Inc.


Erik J. Olsen, President

City of Fernandina Beach, FL

Dale L. Martin, City Manager

Date:

9 February 2017

Date:

APPROVED AS TO FORM & LEGALITY:



CITY ATTORNEY

**CITY OF FERNANDINA BEACH
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 2/20/2017

DEPARTMENT: Capital Improvement Fund

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

FROM	TO	AMOUNT
300-3000-581.9520	300-3000-572.6426	
Reserve	Beach Renourishment	10,000

REASON FOR TRANSFER:

To transfer funds for unbudgeted Olsen Task Order.

RECOMMENDATIONS/COMMENTS:

DH Clifford 2/20/2017
COMPTROLLER DATE

CITY MANAGER DATE

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: **Resolution 2017-37**
Setting the Qualifying Dates for the 2017 General Election

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-37

SYNOPSIS:

The City of Fernandina Beach General Election will be on Tuesday, November 7, 2017; if necessary, the Runoff Election will be on Tuesday, December 12, 2017.

Pursuant to Section 34-2(a) of the Code of Ordinances which states in relevant part: the City Commission shall set the General Election qualifying dates each year by Resolution by June 1 preceding the November City General Election.

The proposed qualifying dates for the November 7, 2017, City General Election would begin on July 10, 2017, and end on July 14, 2017. The qualifying period is the window of time for candidates to file qualifying paperwork with the City Clerk.

FISCAL IMPACT: In accordance with City Code Section 34-1(c), the expense of holding the City General Election and the Runoff Election, if necessary, shall be paid for by the City of Fernandina Beach. Funding will be allocated in the City Clerk's Other Current Account, 001-1200-512.4900 in the FY 17/18 budget.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-37.

Dale Martin, City Manager

Tammi Bach, City Attorney

Patti Clifford, Comptroller

Date: 2/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING AND SETTING THE QUALIFYING DATES FOR THE NOVEMBER 7, 2017 CITY GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Code Section 34-2(a) provides that the City Commission shall set Qualifying Dates each year, by resolution, by June 1 preceding the November City General Election; and

WHEREAS, every candidate for election as a member of the City Commission shall file a Notice of Candidacy with the City Clerk during the Qualifying period as set by Resolution each year by the City Commission; and

WHEREAS, the Nassau County Supervisor of Elections has advised that names of qualified City Commission candidates and ballot language must be received by the City Clerk no later than September 1, 2017 for the purpose of programming the ballot for the 2017 General Election and mailing ballots to overseas and military voters; and

WHEREAS, based upon the deadline for ballot language set by the Nassau County Supervisor of Elections, the City Clerk recommends the Qualifying Dates for City Commission candidates for the November 7, 2017, City General Election be July 10, 2017, through July 14, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby sets the Qualifying Dates for the November 7, 2017, City General Election to begin on July 10, 2017, and end on July 14, 2017.

SECTION 2. This Resolution shall become effective immediately upon adoption.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2017-38
Opposing Florida House Bill 17
Preempting Local Regulation of Businesses

ITEM TYPE: Resolution

REQUESTED ACTION: Approve Resolution 2017-38

SYNOPSIS: This Resolution is placed on the agenda by Vice Mayor Kreger.

Florida House Bill 17 (HB 17) was filed for consideration during the Florida Legislature's 2017 Session by Representative Randy Fine (R – Palm Bay) and is co-sponsored by Representative Paul Renner (R – Palm Coast). On February 22, 2017, the Careers & Competition Subcommittee of the House Commerce Committee voted favorably on a similar Committee Substitute Bill (CS/HB 17). CS/HB 17 expressly preempts the local regulation of businesses, professions and occupations to the State of Florida by prohibiting local governments from imposing or adopting certain ordinances, rules, regulations, licenses, permits or requirements and any associated fees. CS/HB 17 would supersede all local government regulations on businesses, professions and occupations, even those regulations adopted prior to January 1, 2017, if they were adopted without general law authority, and such existing local regulations would expire July 1, 2020.

Under CS/HB 17, even if a local government had enacted a business regulation authorized by general law prior to January 1, 2017, the existing regulation could not be amended to impose additional regulations on businesses, professions or occupations, and a local government could not modify such regulations except to repeal or further limit the regulations. A local regulation not authorized under CS/HB 17 or expressly authorized by general law, would be null and void and not enforceable. CS/HB 17, and any similar or substitute legislation would have far-reaching negative impacts upon local governments throughout the State of Florida and would severely limit their ability to prescribe local laws to meet community needs, would repeal by operation of state law these important local laws, and would prevent the enactment of new local laws that address environmental concerns, neighborhood quality of life, fair trade, aesthetics, health, safety and welfare of citizens.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-38.

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date: 3/3/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, OPPOSING FLORIDA HOUSE BILL 17 (HB 17) AND ANY SIMILAR OR SUBSTITUTE LEGISLATION THAT WOULD PREEMPT THE LOCAL REGULATION OF BUSINESSES, PROFESSIONS AND OCCUPATIONS TO THE STATE BY PROHIBITING LOCAL GOVERNMENTS FROM IMPOSING OR ADOPTING CERTAIN ORDINANCES, REGULATIONS, RULES LICENSES, PERMIT OR OTHER REQUIREMENTS, INCLUDING ASSOCIATED FEES; OPPOSING ANY STATE LEGISLATION THAT WOULD PREEMPT AND REPEAL BY OPERATION OF STATE LAW ANY EXISTING LOCAL REGULATIONS; OPPOSING ANY STATE LEGISLATION THAT WOULD LIMIT LOCAL GOVERNMENTS IN MODIFYING OR IMPOSING ADDITIONAL REGULATIONS ON BUSINESSES, PROFESSIONS AND OCCUPATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida House Bill 17 (HB 17) was filed for consideration during the Florida Legislature's 2017 Session by Representative Randy Fine (R – Palm Bay) and is co-sponsored by Representative Paul Renner (R – Palm Coast); and

WHEREAS, on February 22, 2017, the Careers & Competition Subcommittee of the House Commerce Committee voted favorably on a similar Committee Substitute Bill (CS/HB 17); and

WHEREAS, CS/HB 17 expressly preempts the local regulation of businesses, professions and occupations to the State of Florida by prohibiting local governments from imposing or adopting certain ordinances, rules, regulations, licenses, permits or requirements and any associated fees; and

WHEREAS, CS/HB 17 would supersede all local government regulations on businesses, professions and occupations, even those regulations adopted prior to January 1, 2017, if they were adopted without general law authority, and such existing local regulations would expire July 1, 2020; and

WHEREAS, under CS/HB 17, even if a local government had enacted a business regulation authorized by general law prior to January 1, 2017, the existing regulation could not be amended to impose additional regulations on businesses, professions or occupations, and a local government could not modify such regulations except to repeal or further limit the regulations; and

WHEREAS, a local regulation not authorized under CS/HB 17 or expressly authorized by general law, would be null and void and not enforceable; and

WHEREAS, CS/HB 17, and any similar or substitute legislation would have far-reaching negative impacts upon local governments throughout the State of Florida and would severely limit their ability to prescribe local laws to meet community needs, would repeal by operation of state law these important local laws, and would prevent the enactment of new local laws that address environmental concerns, neighborhood quality of life, fair trade, aesthetics, health, safety and welfare of citizens; and

WHEREAS, the City Commission strongly opposes CS/HB 17 and any similar or substitute legislation that would preempt local regulation of businesses, professions and occupations to the State of Florida, would repeal by operation of law existing local regulations, or that would limit local governments in modifying or enacting additional local regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby opposes Florida House Bill 17 (HB 17) and any similar or substitute legislation that would preempt local regulation of businesses, professions and occupations to the State of Florida by prohibiting local governments from imposing or adopting certain ordinances, rules, regulations, licenses, permits or requirements, including any associated fees, that would repeal by operation of law existing local regulations, or that would limit local governments in modifying or enacting additional regulations on businesses, professions and occupations.

SECTION 2. This Resolution shall become effective immediately upon adoption.

ADOPTED this 7th day of March, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

HB 17

2017

A bill to be entitled
An act relating to local regulation preemption;
providing definitions; prohibiting certain local
governments from imposing or adopting certain
regulations on businesses, professions, and
occupations after a certain date; preempting the
regulation of businesses, professions, and occupations
to the state; providing exceptions to such preemption;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Regulation of businesses, professions, and
occupations preempted to the state.-

(1) DEFINITIONS.-As used in this section:

(a) "Local government" means a county, municipality,
special district, school district, or political subdivision of
the state.

(b) "Regulation" means a rule or regulation, license,
permit, or requirement and includes, but is not limited to, a
regulatory fee, license fee, or permit fee.

(2) LOCAL GOVERNMENT REGULATION.-After January 1, 2017, a
local government may not adopt or impose a new regulation on a
business, profession, and occupation unless the regulation is
expressly authorized by general law.

HB 17

2017

(3) PREEMPTION OF REGULATION TO THE STATE.-

Notwithstanding any law to the contrary, this section expressly preempts the regulation of businesses, professions, and occupations to the state and supersedes any local government regulation of businesses, professions, and occupations with the exception of the following:

(a) A regulation adopted prior to January 1, 2017, without general law authority. Any such regulation expires on January 1, 2020.

(b) A regulation expressly authorized by general law.

(4) EXISTING REGULATION LIMIT.-A local government with a local regulation concerning a business, profession, or occupation that is retained pursuant to paragraph (3)(a) may not impose additional regulations on that business, profession, or occupation or modify such regulation except to repeal or reduce the regulation.

(5) REGULATIONS NOT AUTHORIZED.-A local regulation that is not authorized under this section or expressly authorized by general law does not apply and may not be enforced.

Section 2. This act shall take effect July 1, 2017.

CS/HB 17

2017

A bill to be entitled
An act relating to local regulation preemption;
creating s. 163.20, F.S.; providing definitions;
prohibiting certain local governments from imposing or
adopting certain regulations on businesses,
professions, and occupations after a certain date;
preempting the regulation of businesses, professions,
and occupations to the state; providing exceptions to
such preemption; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 163.20, Florida Statutes, is created to
read:

163.20 Regulation of businesses, professions, and
occupations preempted to the state.-

(1) DEFINITIONS.-As used in this section:

(a) "Local government" means a county, municipality,
special district, school district, or political subdivision of
the state.

(b) "Regulation" means a rule or regulation, license,
permit, or requirement, along with any associated fee.

(2) LOCAL GOVERNMENT REGULATION.-On or after July 1, 2017,
a local government may not adopt or impose a new regulation on a
business, profession, or occupation unless the regulation is

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2017

26 expressly authorized by general law.

27 (3) PREEMPTION OF REGULATION TO THE STATE.-Notwithstanding
28 any law to the contrary, this section expressly preempts the
29 regulation of businesses, professions, and occupations to the
30 state and supersedes any local government regulation of
31 businesses, professions, and occupations with the exception of
32 the following:

33 (a) A regulation adopted prior to July 1, 2017, without
34 general law authority. Any such regulation expires on July 1,
35 2020.

36 (b) A regulation expressly authorized by general law.

37 (4) EXISTING REGULATION LIMIT.-A local government with a
38 local regulation concerning a business, profession, or
39 occupation that is retained pursuant to paragraph (3)(a) may not
40 impose additional regulations on that business, profession, or
41 occupation or modify such regulation except to repeal or reduce
42 the regulation.

43 (5) REGULATIONS NOT AUTHORIZED.-Any local regulation of a
44 business, profession, or occupation that is not authorized under
45 this section or expressly authorized by general law does not
46 apply and may not be enforced.

47 Section 2. This act shall take effect July 1, 2017.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance
FY 2016-2017 Pay and Classification Plan Amendment

2017-07

ITEM TYPE: Ordinances

REQUESTED ACTION: Enact Ordinance 2017-07

SYNOPSIS:

This Ordinance amends the *Pay and Classification Plan* per *Section 62-247* of the City's *Code of Ordinances* which states, "The classification plan shall be that as established by the city commission each year by ordinance and may be amended by the city commission from time to time in its discretion, by Ordinance, as it may deem necessary to ensure that the plan reflects the current job classification of all positions in the city service."

Staff recommends the following changes to better reflect the positions needed by the City:

- City Manager's Office – add the position of *Public Information Officer*
- Fire Department
- change the position of *Ocean-Rescue Lifeguard Trainee* to *Ocean-Rescue Lifeguard I*
 - Add the position of *Ocean-Rescue Lifeguard II* and *III* (to reflect skill level)
 - Add the position of *Ocean-Rescue Supervisor* (to accurately reflect the duties of certain senior guards currently serve as team leads who perform certain supervisory duties)
- Finance - changes the position of Purchasing Agent from Exempt to Non-Exempt
- Maintenance Department – eliminate the unused position of *Service Tech (Auto)*

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact Ordinance 2017-07 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Tammi E. Bach, City Attorney

Date: 3/1/2017

COMMISSION ACTION: Enact

ORDINANCE 2017-07

AN ORDINANCE OF THE CITY OF FERNANDINA BEACH, FLORIDA, ESTABLISHING AN AMENDED CLASSIFICATION PLAN FOR FISCAL YEAR 2016/2017, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 120 of the City Charter states, “the city commission shall fix, by ordinance, the salary or compensation of the city attorney, the department heads, the city manager and the city commission. The city manager shall fix the number and compensation of all other officers and employees. The salaries so fixed shall be uniform for like service in each grade of the city service, as the same shall be graded or classified by the city manager, and approved by the city commission.”; and

WHEREAS, Section 62-247 of the City’s Code of Ordinances states, “The classification plan shall be that as established by the city commission each year by ordinance and may be amended by the city commission from time to time in its discretion, by ordinance, as it may deem necessary to ensure that the plan reflects the current job classification of all positions in the city service.”; and

WHEREAS, the City recognizes that the compensation plan is intended to provide all employees with an equitable and competitive pay, relative to pay received by other employees performing similar work in other areas of the City’s organization and also relative to rates received by other employees in the labor market from which City employees are recruited.

WHEREAS, it is in the best interest of the City to amend the Classified Service Titles and Pay Grades to reflect the current organizational needs and responsibilities of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA:

SECTION 1. CLASSIFIED SERVICE TITLES AND PAY GRADES. The Classified Service Titles and Pay Grades are shown below.

Exempt Classifications	Pay Grade
Accountant	135
Accountant, Payroll	130
Accounting Supervisor	138
Administrative Coordinator	131
Administrative Services Manager	137
Airport Manager	137
Airport Operations Manager	134
Aquatics/Greenway Supervisor	131
Assistant to City Manager	133

Exempt Classifications (continued)	Pay Grade
Building Official	141
Community Development Director	143
Comptroller	145
Deputy Building Official	139
Deputy City Clerk	132
Deputy City Manager	146
Deputy Fire Chief	142
Deputy Police Chief	144
Fire Chief	144
Grants Administrator	137
HR Generalist	131
Human Resources Director	143
IT Manager	140
Legal Assistant	132
Maintenance Director	140
Manager/Engineer	143
Marina Director	137
Network Administrator	139
Paralegal	137
Parks & Recreation Director	141
Parks & Recreation Manager	136
Planner I	134
Planner II	136
Police Captain	143
Police Chief	146
Police Lieutenant	141
<u>Public Information Officer</u>	<u>131</u>
Purchasing Agent (move to non-exempt)	132
Recreation Programs Supervisor	131
Senior Planner	138
Systems Administrator	136
Utilities Director	146
Utility Billing Supervisor	135
Utility Operations Superintendent	138

Non-Exempt Classifications	Pay Grade
Accounting Clerk	128
Administrative Coordinator	131
Administrative Specialist	128
Airport Operations Specialist	131
Building Inspector	135
Camp Leader	117
Chief Plant Operator, Utilities	133
Code Compliance Officer	131
Code Enforcement Manager	134
Communications Officer Supervisor	129
Customer Service Specialist	126
Deputy Wastewater Superintendent	136
Electrician/HVAC Technician	131
Engineer I	132
Fire Inspector	134
Fire/Rescue Captain	138
Fire/Rescue Engineer	133
Fire/Rescue Lieutenant	136
Firefighter /EMT	131
Firefighter/Paramedic	131
Foreman	131
Heavy Equipment Operator	128
Help Desk Specialist	130
Information Technology Technician	132
Intern I	117
Intern II	125
Irrigation/Maintenance Tech	126
Maintenance Assistant	122
Maintenance Tech	127
Maintenance Worker	123
Master Mechanic	130
Mechanic	127
Meter Reader	126
Ocean-Rescue Lifeguard I Trainee	124
Ocean-Rescue Lifeguard II	125
<u>Ocean-Rescue Lifeguard III</u>	<u>126</u>
<u>Ocean-Rescue Supervisor</u>	<u>129</u>

Non-Exempt Classifications (continued)	Pay Grade
Office Assistant	123
Permit Specialist	128
Plans Examiner	136
Plant Operator	130
Police Detective	22
Police Officer	22
Police Reserve Officer	122
Police Sergeant	26
Police Service Aide	125
Pool Lifeguard	117
<u>Purchasing Agent</u> (moved from exempt)	<u>132</u>
Records Coordinator	129
Recreation Aide	117
Recreation Leader	124
Service Tech (Auto)	124
Sign Technician	127
Sr. Electrician/HVAC Technician	133
Sr. Maintenance Worker	125
Sr. Plans Examiner	138
Sr. Police Reserve Officer	130
Sr. Water Safety Instructor/Lifeguard	120
Staff Assistant	126
Street Maintenance Tech	126
Utility Billing Specialist	128
Warehouse Tech	128
Water Collector	124
Water Fitness Instructor	126
Water Locator	123
Water Safety Instructor	119
Water Tech I	126
Water Tech II	128
WW Plant Operator Trainee	126
WW Systems Tech I	126
WW Systems Tech II	128
Youth Program Supervisor	128

SECTION 2. CONSOLIDATED PAY PLAN. The Classified Service Pay Schedule for Department Heads and General Employees (Appendix "A") and Fire Employees (Appendix "B") and the Police Officer Pay Schedule (Appendix "C") are hereby adopted for the budget year 2016-2017.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective on April 4, 2017, after its second reading, public hearing and final adoption.

ADOPTED by the City Commission this _____ day of _____, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

Date of First Reading: March 7, 2017
Date of Second Reading: April 4, 2017
And Public Hearing:
Date of Final Passage:

Appendix "A"						
Classified Service Pay Scale						
General Employees						
Effective October 1, 2016						
Grade	Minimum	Hourly min	Midpoint	Hourly Mid	Maximum	Hourly Max
117	\$16,962	8.15	\$21,839	10.50	\$26,715	12.84
118	\$17,835	8.57	\$22,962	11.04	\$28,090	13.50
119	\$18,729	9.00	\$24,113	11.59	\$29,498	14.18
120	\$19,644	9.44	\$25,292	12.16	\$30,939	14.87
121	\$20,644	9.93	\$26,579	12.78	\$32,514	15.63
122	\$21,644	10.41	\$27,867	13.40	\$34,090	16.39
123	\$22,251	10.70	\$29,042	13.96	\$35,833	17.23
124	\$23,900	11.49	\$30,771	14.79	\$37,643	18.10
125	\$25,071	12.05	\$32,279	15.52	\$39,486	18.98
126	\$26,384	12.68	\$33,941	16.32	\$41,498	19.95
127	\$27,667	13.30	\$35,622	17.13	\$43,576	20.95
128	\$29,029	13.96	\$37,375	17.97	\$45,721	21.98
129	\$30,498	14.66	\$39,266	18.88	\$48,034	23.09
130	\$31,988	15.38	\$41,185	19.80	\$50,381	24.22
131	\$33,594	16.15	\$43,252	20.79	\$52,911	25.44
132	\$35,271	16.96	\$45,411	21.83	\$55,551	26.71
133	\$37,039	17.81	\$47,687	22.93	\$58,336	28.05
134	\$38,894	18.70	\$50,076	24.08	\$61,258	29.45
135	\$40,840	19.63	\$52,582	25.28	\$64,323	30.92
136	\$42,875	20.61	\$55,202	26.54	\$67,529	32.47
137	\$45,018	21.64	\$57,961	27.87	\$70,903	34.09
138	\$47,266	22.72	\$60,855	29.26	\$74,444	35.79
139	\$49,623	23.86	\$63,890	30.72	\$78,157	37.58
140	\$52,100	25.05	\$67,079	32.25	\$82,058	39.45
141	\$54,715	26.31	\$70,445	33.87	\$86,176	41.43
142	\$57,458	27.62	\$73,977	35.57	\$90,496	43.51
143	\$60,332	29.01	\$77,677	37.34	\$95,023	45.68
144	\$63,360	30.46	\$81,575	39.22	\$99,791	47.98
145	\$66,500	31.97	\$85,750	41.23	\$105,000	50.48
146	\$69,825	33.57	\$89,885	43.21	\$109,946	52.86
147	\$73,316	35.25	\$111,648	53.68	\$149,975	72.10

Appendix "B"							
CLASSIFIED SERVICE PAY SCALE							
FIRE DEPARTMENT*							
Effective October 1, 2016							
Title	Grade	Min Annual	Hourly Min	Midpoint	Hourly Mid	Max Annual	Hourly Max
Firefighter/EMT and FF/Paramedic	131	\$33,594	\$11.54	\$43,253	\$14.85	\$52,911	\$18.17
Fire/Rescue Engineer	133	\$37,039	\$12.72	\$47,688	\$16.38	\$58,336	\$20.03
Fire/Rescue Lieutenant	136	\$42,875	\$14.72	\$55,202	\$18.96	\$67,529	\$23.19
Fire/Rescue Captain	138	\$47,266	\$16.23	\$60,855	\$20.90	\$74,444	\$25.56
*Firefighters are non-exempt (hourly) employees. Approximation of annual compensation is determined on the basis of normally scheduled hours worked (2912 annually) times the hourly rate.							

Appendix "C"							
CLASSIFIED SERVICE PAY SCALE							
POLICE DEPARTMENT*							
Effective October 1, 2016							
Title	Grade	Min Annual	Hourly Min	Midpoint	Hourly Mid	Max Annual	Hourly Max
Police Officers and Police Detectives	22	\$38,504	\$17.63	\$46,705	\$21.39	\$54,906	\$25.14
Police Sergeants	26	\$51,804	\$23.72	\$61,938	\$28.36	\$72,072	\$33.00
*Police Officers are non-exempt (hourly) employees. Approximation of annual compensation is determined on the basis of normally scheduled hours worked (2184 annually) times the hourly rate.							

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: **Board Appointment** - Fernandina Beach Housing Authority

ITEM TYPE: Board Appointments

REQUESTED ACTION: Approve the appointment of Ms. Elaine Roberts to the Fernandina Beach Housing Authority for one four year term ending March, 2021.

SYNOPSIS:

In accordance with 421.05(1) Florida Statute; the Mayor, with the approval of the governing board shall appoint commissioners to the Fernandina Beach Housing Authority. Accordingly, the Fernandina Beach Housing Authority has Board Member vacancy for the Honorable City Commissioner's consideration. Ms. Elaine Roberts has submitted an Advisory Board Member application for the Honorable City Commission's consideration to serve as a Commissioner of the Fernandina Beach Housing Authority for one four year term ending March, 2021. Ms. Roberts is a City resident in accordance with City Charter Section 69.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager

Tammi Bach, City Attorney

Nicole Bednar, Administrative Services Manager

Date: 2/20/2017

COMMISSION ACTION: Approve

DEC82016PM12:23



CITY CLERK'S OFFICE

CITY OF FERNANDINA BEACH

**City of Fernandina Beach
Advisory Board/Committee Application**

This application is intended to provide information that will enable the City Commission to select the most qualified Board/Committee members. Please complete all applicable sections and return the form along with your current résumé to the City Clerk's Office.

City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115 or cbest@fbfl.org

Nominee Information: (Please type or print) Name Elaine Roberts

Home Mailing Street Address 512 S 13th Terrace

City Fernandina Beach Zip 32034

Primary Phone 261-8034 Secondary Phone 415-6171

Please note that board materials are distributed electronically.

Email to receive board materials eroberts8034@gmail.com

Employer Doni Amelia Island Position Title Accounts Receivable Supervisor

Business Street Address 39 Beach Lagoon Road

City Amelia Island Zip 32034

Select the board(s) you are applying for:

Airport Advisory Commission	Arts and Culture Nassau
Board of Adjustment	Code Enforcement and Appeals Board
Community Development Block Grant Citizen Advisory Taskforce	General Employee Pension Board
Greens and Oversight Committee	Historic District Council
<u>Housing Authority</u>	Parks and Recreation Advisory
Peck Center Committee	CRA Advisory Board
Planning Advisory Board	Police/Fire Pension Board
Waterfront Florida Partnership	

Other _____

Why are you interested in serving on this Board? Please explain. I've lived in this community

all my life. I have a passion and genuine love
for the community. I would like to serve and make a difference

Eligibility

Are you a resident of the City? ☒ Yes ☐ No Length of time: 50 years

Do you hold a public office? ☐ Yes ☒ No Office name: _____

Are you employed by the City? ☐ Yes ☒ No Position: _____

Are you currently serving on a Board? ☐ Yes ☒ No Board Name: _____

Potential Conflict of Interest:

Have you ever been engaged in the management/ownership of any business enterprise that has a financial interest with the City of Fernandina Beach? ☐ Yes ☒ No

If yes, please provide details: _____

Major Affiliations:

List community, professional, or other applicable policy-making Boards on which you have served.

Note the length of service and office held (if any): NONE

Qualifications:

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended: _____

Organization or Commissioner sponsoring nomination (if applicable): _____

Educational Background: (Check all that apply)

☒ High School ☐ AA ☐ BS/A ☐ MS/A ☐ Ph.D. ☐ J.D.

Other _____

Major areas of study: _____

Other experience or skills that may be valuable to the Board: I've worked in hospitality
for 25 years. I'm a people person and I have the
ability to make fair judgments based on facts that are presented.

Florida's Public Records Law, Chapter 119, Florida Statutes, states:

"It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form 1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes

I understand that if I am appointed to one of the City's boards, I will be required to file a financial disclosure form - Form 1, as described above, and I am willing to comply with this requirement.

I understand that any false, incomplete or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete or misleading information discovered on this application at any time after appointment to a Board may result in my removal.

I also understand that all board appointments are for voluntary, uncompensated services. Additionally, if appointed, I am able to attend meetings and otherwise fulfill the duties of the office.

Applications are submitted to the City Commission when vacancies occur and are effective for two years from date of completion.

Do you understand the duties and responsibilities of the Board/Committee that you are applying for?



Yes



No

By submitting this form, I declare the foregoing facts to be true, correct, and complete.

Applicant's Signature

E. J. L. L.

Date

12/8/16