AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
APRIL 3, 2018
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION
Invocation by Reverend Zac Terry of First Baptist Church.

4. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA

5. PROCLAMATION/PRESENTATION

5.1 **PROCLAMATION - "KATIE CAPLES RIDE AND WALK FOR LIFE DAY" -** *Proclaims Saturday, April 21, 2018, as "Katie Ride and Walk For Life Day." Mr. David Caples will be present to accept the Proclamation.*

5.2 **PRESENTATION - LEGISLATIVE PRIORITIES FUNDING** - *FL Senator Aaron Bean and State Representative Cord Byrd will present a check to the City in the amount of $450,000 for funding Legislative Priorities.*

6. CONSENT AGENDA

6.1 **BLANKET PURCHASE ORDER APPROVAL – MOTOR GRADER** - ***CORRECTED*** RESOLUTION 2017-202 APPROVING A BLANKET PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $75,000 FOR THE PURCHASE OF A USED MOTOR GRADER; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the issuance of a blanket purchase order with a "not-to-exceed $75,000" clause for the purchase of a used Motor Grader.*

6.2 **INSTALLATION APPROVAL - 8 FLAGS PLAYSCAPES** - RESOLUTION 2018-44 APPROVING THE INSTALLATION OF PERMANENT PUBLIC ART AT EGANS CREEK PARK; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the permanent art work installation by 8 Flags Playscapes at Egans Creek Park.*

6.3 **PROPOSAL APPROVAL – ADVANCED DISPOSAL SERVICES** - RESOLUTION 2018-45 APPROVING THE PROPOSAL FROM ADVANCED DISPOSAL SERVICES TO PROVIDE SOLID WASTE REMOVAL AND CLEAN-UP SERVICES FOR THE 2018 SHRIMP FESTIVAL; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the proposal in the amount of $36,803 from Advanced Disposal Services to provide solid waste removal and clean-up services for the 2018 Shrimp Festival.*

7. RESOLUTIONS

7.1 **NAMING OF REVEREND DR. MARTIN LUTHER KING JR. RECREATION CENTER AUDITORIUM** - RESOLUTION 2018-46 RECOGNIZING MS. PATRICIA A. THOMPSON'S CIVIC SERVICE BY NAMING THE AUDITORIUM AT THE REVEREND DR. MARTIN LUTHER KING JR. RECREATION CENTER, THE "PATRICIA A. THOMPSON AUDITORIUM"; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Names the auditorium at the Reverend Dr. Martin Luther King Jr. Recreation Center at 1200 Elm Street, the "Patricia A. Thompson Auditorium."*

7.2 **BUDGET AMENDMENT - STORMWATER -** RESOLUTION 2018-47 APPROVING AN AMENDMENT TO THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2017/2018; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a transfer of $10,000 from the Stormwater Reserve account to the Stormwater Operating Supplies account.*

7.3 **SETTLEMENT AGREEMENT - JONATHAN GLENN ANDREE -** RESOLUTION 2018-48 APPROVES AN AGREEMENT OF SETTLEMENT IN THE CASE OF JONATHAN GLENN ANDREE V. CITY OF FERNANDINA BEACH; AUTHORIZING EXECUTION; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Authorizes the settlement agreement between the City of Fernandina Beach and Jonathan Andree.*

7.4 **INTERLOCAL AGREEMENT - NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS**- RESOLUTION 2018-49 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE NASSAU COUNTY PROPERTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF FERNANDINA BEACH FOR MAINTENANCE RESPONSIBILITIES FOR THE SIMMONS ROAD (RIVER TO SEA) MULTI-USE TRAIL; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Interlocal Agreement between the Nassau County Board of County Commissioners and the City of Fernandina Beach for maintaining the Simmons Road multi-use trail.*

7.5 **EASEMENT AGREEMENT - FLORIDA PUBLIC UTILITIES (FPU) -** RESOLUTION 2018-50 APPROVING AN EASEMENT AGREEMENT FOR A FLORIDA PUBLIC UTILITIES (FPU) POWER LINE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Grants FPU an easement on Airport property to construct and maintain a power line to service the new Airport Terminal facility.*

7.6 **CITY COMMISSION FISCAL YEAR 2018/2019 GOALS -** RESOLUTION 2018-30 ADOPTING THE CITY COMMISSION'S FISCAL YEAR 2018/2019 GOALS; PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts the City Commission Goals (and related measurements), Opportunities, and Considerations.*

7.4 **SOLE SOURCE VENDOR APPROVAL FOR EMERGENCY REPAIRS - COLE BUILDERS** - RESOLUTION 2018-51 APPROVING COLE BUILDERS AS A SOLE SOURCE VENDOR TO PERFORM EMERGENCY REPAIRS TO THE CITY GOLF COURSE CLUBHOUSE DINING ROOM IN THE AMOUNT OF $33,810; APPROVING A BUDGET AMENDMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Cole Builders as a sole source vendor for the emergency repairs at the City Golf Course Clubhouse in an amount not to exceed $33,810. Also approves a budget transfer from the Golf Course Reserve account to the Golf Repairs/Maintenance Building account.*

8. ORDINANCES - THIRD READING

8.1 **LAND DEVELOPMENT CODE (LDC) AMENDMENT - VARIANCES -** ORDINANCE 2018-01 AMENDING LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 TO PROVIDE THE CITY COMMISSION WITH REVIEW AUTHORITY OF CERTAIN VARIANCE REQUESTS; PROHIBITING THE GRANTING A VARIANCE FOR FILLING WETLANDS; PROHIBITING THE GRANTING OF A VARIANCE TO EXCEED 35-FOOT BUILDING HEIGHT LIMIT FOR PROPERTIES WITHIN 800 FEET OF THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Transfers decision-making authority from the Board of Adjustment to the City Commission for variance consideration of applications which request the combining of lots within the established Job Opportunity Areas, limits the granting of a variance to fill wetlands or to exceed a thirty-five foot building height for properties located 800 feet from the Atlantic Ocean. (Reference PAB Case 2018-02).*

8.2 **CODE AMENDMENT - OVERNIGHT PARKING -** ORDINANCE 2018-03 AMENDING ORDINANCE 2011-15 AND AMENDING THE CITY CODE OF ORDINANCES CHAPTER 78, ARTICLE III, STOPPING, STANDING AND PARKING, DIVISION I GENERALLY, BY AMENDING SECTION 78-84 TO ALLOW OVERNIGHT PARKING OF RECREATIONAL VEHICLES, AND TRAILERS WHEN APPROVED BY THE EVENTS COMMITTEE AND WITH A SPECIAL EVENTS PERMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 78 of the City Code pertaining to overnight parking.*

9. BOARD APPOINTMENT

9.1 **BOARD OF ADJUSTMENT -** *1 appointment.*

10. CITY COMMISSION DISCUSSION (NO ACTION)

10.1 **RAILROAD AND FRONT STREET DEVELOPMENT -** *This item is placed on the agenda at the request of Commissioner Ross.*

10.2 **HISTORIC STANDARD MARINE BUILDING DEMOLITION BY NEGLECT -** *This item is placed on the agenda at the request of Commissioner Ross.*

10.3 **STATUS OF MARINA ATTENUATOR PERMIT AND RELOCATING THE CHANNEL** - *This item is placed on the agenda at the request of Commissioner Ross.*

10.4 **DISCUSSION ITEM LIMIT -** *This item is placed on the agenda at the request of Commissioner Smith.*

11. CITY MANAGER REPORTS

12. CITY ATTORNEY REPORTS

13. CITY CLERK REPORTS

14. MAYOR/COMMISSIONER COMMENTS

15. ADJOURNMENT

- 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.

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:	Proclamation "Katie Caples Ride and Walk for Life Day"
ITEM TYPE:	Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming Saturday, April 21, 2018, as "Katie Ride and Walk For Life Day." Mr. David Caples will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager 03/26/2018

Caroline Best

Submitted By: Caroline Best, City Clerk

Date: March 15, 2018

COMMISSION ACTION:

Proclamation

WHEREAS, Katie Caples was a junior in high school from Fernandina Beach who became an organ and tissue donor after a fatal automobile accident in 1998 and, as a result, saved the lives of five individuals; and

WHEREAS, the Katie Caples Foundation was established in 1998 by the family of Katie Caples, and the Katie Ride for Life was created in 2005 as an event to generate awareness for organ donation, with the addition of the Katie Walk in 2009 as another opportunity to tell the story and support the Foundation's mission; and

WHEREAS, more than 114,000 individuals in the United States are currently waiting for an organ transplant, every ten minutes a new name is added to the list, and an average of twenty people die each day due to the lack of available organs for transplant; and

WHEREAS, the organizers of the Katie Ride for Life believe that through Katie's legacy they can help thousands of individuals awaiting organ and tissue transplants by bringing awareness to the need of each of us to register as an Organ Donor; and

WHEREAS, the community is encouraged to attend the event and to register as an organ donor; and

WHEREAS, the funds raised by this event support the Foundation's expanding Organ Donor Registration Education programs.

NOW, THEREFORE, I, John A. Miller, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby proclaim Saturday, April 21, 2018, as:

"KATIE RIDE AND WALK FOR LIFE DAY"

in Fernandina Beach and encourage our citizens to recognize the importance of organ donation in our community.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____

John A. Miller
Mayor - Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Presentation Legislative Priorities Funding
ITEM TYPE:	Presentation

REQUESTED ACTION:

SYNOPSIS: FL Senator Aaron Bean and State Representative Cord Byrd will present a check to the City in the amount of $450,000 for Legislative Priorities Funding.

FISCAL IMPACT: These monies will fund the Downtown Seawall Stabilization.

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager 03/23/2018

Date: March 22, 2018

Submitted By: Nicole Bednar, Administrative Services Manager

COMMISSION ACTION:

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT: **Corrected** Resolution 2017-202
Blanket Purchase Order Approval - Motor Grader

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Adopt **Corrected** Resolution 2017-202

SYNOPSIS: The Maintenance Department is requesting that the City Commission approve a blanket Purchase Order in an amount not to exceed $75,000 for the purchase of a used Motor Grader for the Maintenance Department. Funds in the amount of $75,000 have been budgeted in FY 17/18. The purpose for acquiring pre-approval is to position ourselves to respond quickly when a good deal becomes available in the used vehicle market.

The attached Resolution approved at the December 19, 2017, City Commission Regular Meeting was mistakenly coded to the Streets Machine/Equipment account. The account should have been 3004100 56400 the Streets Capital Machine/Equipment account as provided for in the FY 2017/2018 budget.

FISCAL IMPACT: Funds have been allocated in the Streets Capital Machine/Equipment account 3004100 56400.

The corrected Resolution changes the account number from the Streets Machine/Equipment account, 0014100 56400 to the budgeted Streets Capital Machine/Equipment account, 3004100 56400.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Corrected Resolution 2017-202.

Jeremiah Glisson, Fleet & Facilities Maintenance Director	03/23/2018
Dale Martin, City Manager	03/23/2018
Patti Clifford, Comptroller	03/23/2018
Tammi E. Bach, City Attorney	03/23/2018

Date: March 23, 2018

Submitted By: Nicole Bednar, Administrative Services Manager

COMMISSION ACTION: Adopt

CORRECTED

RESOLUTION 2017-202

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A BLANKET PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $75,000 FOR THE PURCHASE OF A USED MOTOR GRADER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Maintenance Department is requesting that the City Commission approve a blanket Purchase Order in an amount not to exceed $75,000 for the purchase of a Motor Grader for the Maintenance Department; and

WHEREAS, the purchase of the Motor Grader was approved via Resolution 2017-152 based on pricing set through the Florida Sheriff's Association Vehicle Bid Award and Florida State Contract; however, staff believes it is in the best interest of the City to purchase a used Motor Grader; and

WHEREAS, the Maintenance Department will search for the best deal available prior to making a purchase and is requesting approval be granted for the issuance of a blanket purchase order with a "not-to-exceed $75,000" clause; and

WHEREAS, funds in the amount of $75,000 have been budgeted in the Streets Capital Machine/Equipment account #~~0014100~~ 3004100 56400 in FY 17/18.

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 issuance of a blanket purchase order with a "not-to-exceed $75,000" clause for the purchase of a used Motor Grader.

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

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

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____

John A. Miller
Commissioner - Mayor

ATTEST:

____

Caroline Best
City Clerk

APPROVED AS TO FORM AND LEGALITY:

____

Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT: Resolution 2018-44
Installation Approval - 8 Flags Playscapes

ITEM TYPE: Resolution (w/o fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-44

SYNOPSIS: The 8 Flags Playscapes submitted two Public Art Applications to the Arts and Culture Nassau (ACN) committee for the installation of permanent public art in Egans Creek Park. One is for interactive wind chimes, created by local artist, Joe Winston and the other for a Camber Meditation sculpture designed by local artist, Songmi Keating. At the January 2, 2018, ACN meeting the installation of both works of art for Egans Creek Park were approved unanimously. In accordance with City Ordinance 2012-03, Section 70-152 (3) ACN must "Review and issue a recommendation on all permanent art installations" and "all permanent works of art are subject to final approval by the city commission".

Staff requests the City Commission's consideration of the installation of these permanent works of art in Egans Creek Park. The attached Resolution requests City Commission approval for the installation of two permanent pieces of public art in Egans Creek Park.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-44.

Nan Voit, Parks & Recreation Director	03/16/2018
Dale Martin, City Manager	03/22/2018
Tammi E. Bach, City Attorney	03/23/2018

Nan Voit

Submitted By: Nan Voit, Parks & Recreation Director

Date: March 09, 2018

COMMISSION ACTION: Adopt

RESOLUTION 2018-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE INSTALLATION OF PERMANENT PUBLIC ART AT EGANS CREEK PARK; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS**,** 8 Flags Playscapes submitted two Public Art Applications to the Arts and Culture Nassau (ACN) committee for the installation of public art at Egans Creek Park; and

WHEREAS, one is for interactive wind chimes, created by local artist, Joe Winston, and the other for a Camber Meditation sculpture designed by local artist, Songmi Keating; and

WHEREAS, in accordance with City Ordinance 2012-03, Section 70-152 (3) ACN must "Review and issue a recommendation on all permanent art installations" and "all permanent works of art are subject to final approval by the City Commission"; and

WHEREAS, at its meeting on January 2, 2018, ACN unanimously approved the installation of both works of art for Egans Creek Park.

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

SECTION 1. The City Commission approves the permanent art work installation by 8 Flags Playscapes at Egans Creek Park.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute any documentation pertaining to the installation of artwork at Egans Creek Park upon review and approval of the City Attorney.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

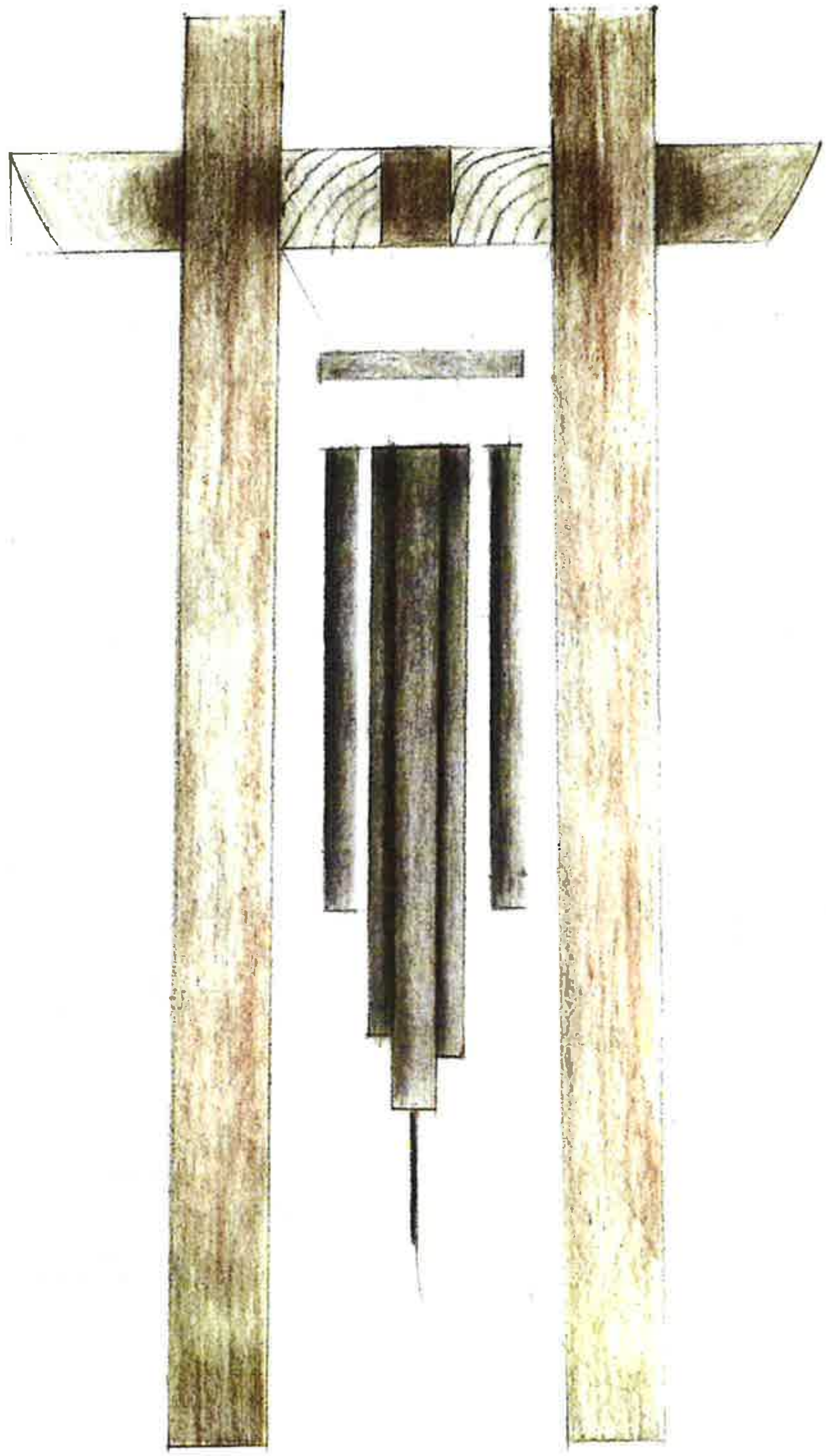
____
John A. Miller
Mayor

ATTEST:

____
Caroline Best
City Clerk

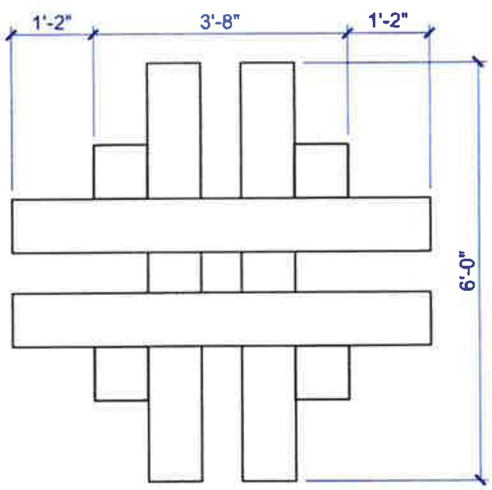
APPROVED AS TO FORM & LEGALITY:

____
Tammi E. Bach
City Attorney

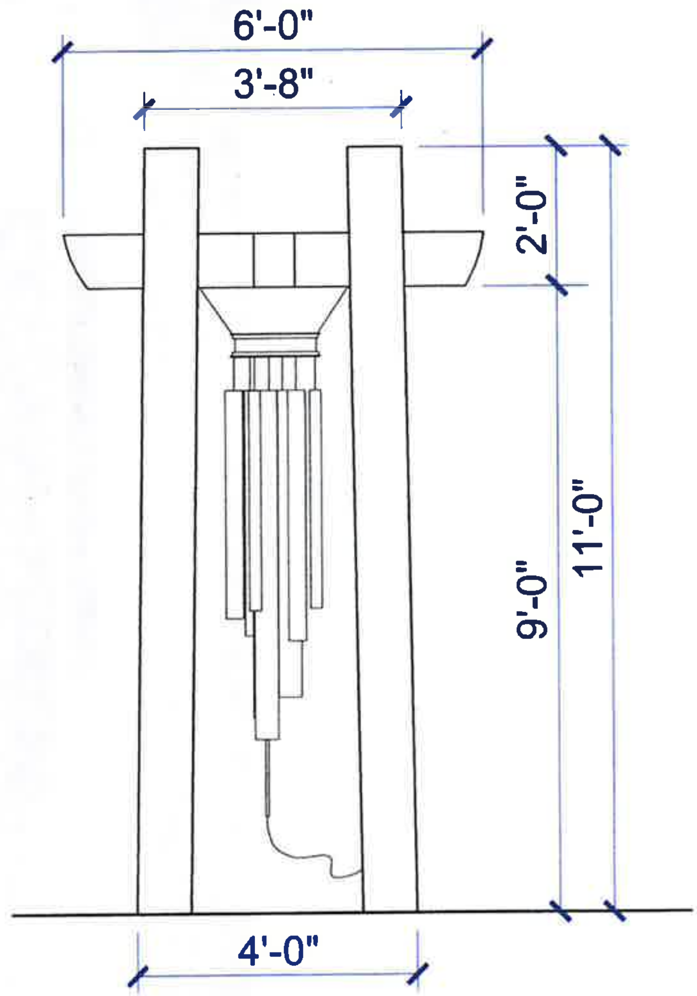


InterActive Wind Chime

WIND CHIME 3 EGANS CREEK PARK   Cc J WINSTON



PLAN
SCALE: 1/2" = 1'-0"



ELEVATION
SCALE: 1/2" = 1'-0"

Wind chime
Joe Winston
8/31/2016

"Camber Meditation Sculpture"

songmi.keating@gmail.com
C. 301-803-8103

Songmi Keating Artist Bio

Songmi Keating, was born in South Korea and raised in Washington, DC. Since then she has lived throughout the United States, Africa, Asia, Europe and Mexico. She has a Bachelor of Fine Arts (1999) from SUNY New Paltz. She has exhibited her 2 dimensional work in NYC, Los Angeles, Mexico and Seoul, South Korea.Songmi has worked with hundreds of artists in NYC and LA. In 2002 she started a nonprofit art space, ART2102, where she curated shows and was the Director for 3 years.

On Amelia Island Songmi has had a studio at The Blue Door, downtown Fernandina, and in 2015 she produced 1200 handmade bowls for Barnabas' Empty Bowls Fundraiser, working with the community to glaze each bowl.

While she has a strong foundation in drawing and painting, for the past 5 years Songmi has been working with clay to produce functional pottery and sculptures. This is a new direction for her as a working artist and mother.

Songmi Keating
1578 Penbrook Drive
Fernandina Beach, FL 32034
songmi.keating@gmail.com | C 301.803.8103


Egans Park
Wind Chimes
Sculpt

arts & culture
nassau

* Call to Order

12:03pm: Chair Powell,

* Members Present

Chair Powell
Member Reid
Member Joyner
Member Withrow
Member Baumgartner
Vice Chair Shea
Member Taylor

* Members Absent

Member Ruppel
Member Smith

*Guests

Aaron Morgan, 8 Flag Playscapes
Songmi Keating, Artist
Joe Winston, Artist
Les DeMerle, Amelia Island Jazz Festival

*November and December Minutes

Motion to approve Vice Chair Shea, 2nd Member Joyner, all in favor

*Grant Submittals

Arts and Culture Nassau has received one grant application from West Nassau Historical Society.

*Meeting with the City Manager Regarding Public Art Policy

Staff will email City Manager's office to request a meeting

Art Installation at Egan's Creek

Aaron Morgan, Songmi Keating and Joe Winston were in attendance asking for the committee's approval of two pieces of permanent art work to be installed at Egan's Creek Park. The committee referred back to former Chair, Evelyn McDonald's document listing concerns with the art work that was presented back in October of 2016. Aaron Morgan will put together a document addressing all those concerns and send it back to the committee. Arts and Culture Nassau agreed to a recommendation to the City Council for the project pending receipt of the written response to the verbal assurances from the artists and 8 Flag Playscapes satisfying the areas of concern.

Motion, Member Reid / 2nd Member Joyner
Approve installation of 2 permanent art pieces at Egan's Creek Park with the stipulation that all concerns written on document from former Chair, Evelyn McDonald are addressed. Aaron Morgan will put in writing on how all these concerns are or have been addressed.
All Members in favor.

Brochure Update

- Member Taylor has the brochure updated and will send the updated brochure to Scott
- Staff will make sure the new logo is on the minutes and agenda.

Outreach for New Members

- Member Withrow will reach out to ACT for a new Member
- Member Taylor will reach out to Leigh Palmer to see if she in the at-large position
- Scott will reach out to Friends of the Library to see if they have interest.

New Business

- 2018 Community forum will temporarily be held on September 29th.
- We will vote for new Chair and Vice Chair at our next meeting.

Old Business

MBarnell 2-6-18

Board Member Date

*Minutes recorded and transcribed by Scott Mikelson

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-45 Proposal Approval - Advanced Disposal Services
ITEM TYPE:	Resolution (w/ fiscal impact)

REQUESTED ACTION: Adopt Resolution 2018-45

SYNOPSIS: Advanced Disposal Services has previously provided waste removal services pertaining to the Shrimp Festival.

The City has an existing contract with Advanced Disposal Services for solid waste and recycling removal within the City. Advanced Disposal Services has proposed an amount of $36,803 to provide the waste removal and clean-up services for the 2018 Shrimp Festival (the same amount proposed last year).

FISCAL IMPACT: Budgeted funds in the amount of $37,000 are available in Non-Departmental Contractual Account # 0011910 53400.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-45.

Jeremiah Glisson, Fleet & Facilities Maintenance Director	03/16/2018
Dale Martin, City Manager	03/21/2018
Patti Clifford, Comptroller	03/21/2018
Tammi E. Bach, City Attorney	03/22/2018

Date: March 14, 2018

Submitted By: Cathy Sabattini, Administrative Coordinator

COMMISSION ACTION: Adopt

RESOLUTION 2018-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE PROPOSAL FROM ADVANCED DISPOSAL SERVICES TO PROVIDE SOLID WASTE REMOVAL AND CLEAN-UP SERVICES FOR THE 2018 SHRIMP FESTIVAL; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach has an existing contract with Advanced Disposal Services for solid waste and recycling removal within the City; and

WHEREAS, Advanced Disposal Services has proposed an amount of $36,803 to provide waste removal and clean-up services for the 2018 Shrimp Festival; and

WHEREAS, budgeted funds in the amount of $37,000 are available in Non-Departmental Contractual Account # 0011910 53400.

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 proposal in the amount of $36,803 from Advanced Disposal Services, attached hereto as Exhibit “A”, to provide solid waste removal and clean-up services for the 2018 Shrimp Festival.

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

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

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
John A. Miller
Commissioner – Mayor

ATTEST:

____
Caroline Best
City Clerk

APPROVED AS TO FORM & LEGALITY:

____
Tammi E. Bach
City Attorney

Advanced Disposal

March 15th, 2018

Mr. Dale Martin
City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida 32034

RE: 2018 Shrimp Boat Festival- Agreement for Services

Dear Mr. Martin,

Advanced Disposal-Stateline is pleased to once again provide cleaning and solid waste removal service for the 2018 Shrimp Festival.

Scope of Work:
Advanced Disposal-Stateline agrees to provide cleaning and solid waste removal services for the 2018 Shrimp Boat Festival. Scope of services will include cleaning and trash removal, blowing of streets nightly in conjunction with City provided street sweepers and overall cleanliness of the event. We will provide trash carts, cart liners, personnel for placement, set-up and service of trash carts, maintaining carts during the event and cleaning/blowing the area after the event to return venue to its original state. Please see attached for detailed scope of services provided.

Fee and Payment Terms:
Our service charge will be $36,803.00.

Thank you once again for giving us the opportunity to provide this service for the City of Fernandina. If you agree please return a signed copy to my attention. If you have any questions or concerns please contact me at 904-507-0235.

Sincerely,

Jeff Edwards
General Manager
Advanced Disposal Services

ACCEPTED AND AGREED:

Signed:____________________________ Date:________________

Print Name/Title: ____________________________________

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

Scope of Service for 2018 Shrimp Festival

1. Deliver 20 carts to Centre Street for parade.
2. Deliver and place 205 carts Friday morning.
3. Temporarily remove approximately 12 Front Load containers Friday morning.
4. Deliver 3 Residential rear-load trucks and one (Roll-off container or recycle truck) on Friday afternoon.
5. Rental for two and half days on Rear-load trucks.
6. Provide staff and equipment needed (including liners) to handle daily dumping of carts and recycle bins, nightly removal of all waste, blow off and clean streets and sidewalks in conjunction with City Sweeper.
7. Provide two supervisors each da as contact persons for event personnel and to oversee overall operations.
8. Six additional employees will be used for final clean-up, truck removal and cart removal on final day of event.
9. Boom truck and driver used to remove grease soaked cardboard waste at food court area.
10. Return front-load containers to original locations on Sunday night.
11. Remove Roll-off container/Recycle truck and haul recycle material to Jacksonville Recycle Facility.
12. Transport all trucks for final disposal.
13. Remove and clean 225 carts used in Shrimp Festival.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT: Resolution 2018-46
Naming of Reverend Dr. Martin Luther King Jr. Recreation Center Auditorium

ITEM TYPE: Ordinances (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-46

SYNOPSIS: The City Commission has expressed interest in honoring Ms. Patricia A. Thompson for her leadership and contributions to the African American community by naming the Reverend Dr. Martin Luther King, Jr. Auditorium in her honor.

FISCAL IMPACT: Funding in the estimated amount of $1,000 will be transferred from the City Commission Training/Travel account, 0011100 54000 to the City Commission Operating Supplies account, 0011100 55200 for this expenditure.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-46.

Caroline Best, City Clerk	03/23/2018
Dale Martin, City Manager	03/23/2018
Patti Clifford, Comptroller	03/23/2018
Tammi E. Bach, City Attorney	03/23/2018

Date: March 21, 2018

Submitted By: Nicole Bednar, Administrative Services Manager

COMMISSION ACTION: Adopt

RESOLUTION 2018-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, RECOGNIZING MS. PATRICIA A. THOMPSON'S CIVIC SERVICE BY NAMING THE AUDITORIUM AT THE REVEREND DR. MARTIN LUTHER KING JR. RECREATION CENTER, THE "PATRICIA A. THOMPSON AUDITORIUM"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ms. Patricia A. Thompson is a lifelong resident of and dedicated advocate to the City of Fernandina Beach African American community; and

WHEREAS, at the age of fourteen in 1968, Ms. Thompson began her exemplary civic service and over the course of the past five decades has dedicated thousands of volunteer hours to mentoring the youth of Fernandina Beach as a cheerleader instructor, majorette instructor, softball coach, basketball coach, and drum major, and

WHEREAS, Ms. Thompson excelled in the professional world as a radio host, television personality, educator and successful African American business owner. Ms. Thompson served as President of National Association for the Advancement of Colored People for twenty years and holds a number of distinguished designations in local and regional African American organizations; and

WHEREAS, Ms. Thompson remains the first female African American City Commissioner. Elected in 1999, Ms. Thompson served as Commissioner until 2001 and as Vice Mayor from 2001-2002. While serving as a City Commissioner, Ms. Thompson initiated the renaming of the Elm Street Recreation Center to the Reverend Dr. Martin Luther King, Jr. Recreation Center; and

WHEREAS, funding in the estimated amount of $1,000 will be transferred from the City Commission Training/Travel account, 0011100 54000 to the City Commission Operating Supplies account, 0011100 55200 for this expenditure.

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

SECTION 1. The City Commission hereby names the auditorium at the Reverend Dr. Martin Luther King Jr. Recreation Center, located at 1200 Elm Street, the "Patricia A. Thompson Auditorium" and directs the City Manager to affix that name to said auditorium in honor of the contributions and efforts of Ms. Patricia A. Thompson.

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

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

JOHN A. MILLER
Commissioner-Mayor

ATTEST:

____

CAROLINE BEST
City Clerk

APPROVED AS TO FORM & LEGALITY:

____

TAMMI E. BACH
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-47 Budget Amendment - Stormwater
ITEM TYPE:	Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-47

SYNOPSIS: Staff recommends an increase to the Stormwater Operating Supplies account for the purchase of various equipment and supplies needed for Stormwater maintenance and other projects in the amount of $10,000 for the balance of Fiscal Year 2017/2018 by transferring this amount from the Stormwater Reserve account, 470 59990, to the Operating Supplies account, 470 55200.

The attached Resolution approves the transfer of funds from the Stormwater Reserve account to the Stormwater Operating Supplies account.

FISCAL IMPACT: Funds are available in the Stormwater Reserve account for this transfer.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-47.

Patti Clifford, Comptroller	03/07/2018
Dale Martin, City Manager	03/21/2018
Tammi E. Bach, City Attorney	03/22/2018

Submitted By: Andre Desilet, Stormwater Manager

Date: March 07, 2018

COMMISSION ACTION: Adopt

RESOLUTION 2018-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2017/2018; 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, staff recommends an increase to the Stormwater Operating Supplies account for the purchase of various equipment and supplies needed for Stormwater maintenance and other projects in the amount of $10,000 for the balance of Fiscal Year 2017/2018 by transferring this amount from the Stormwater Reserve account, 470 59990, to the Operating Supplies account, 470 55200;

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 $10,000 to the Stormwater Operating Supplies account, 470 55200, from the Stormwater Reserve account, 470 59990.

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

ADOPTED this 3rd day of April, 2018.

ATTEST:

____
Caroline Best
City Clerk

CITY OF FERNANDINA BEACH

____
John A. Miller
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:

____
Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-48 Settlement Agreement - Jonathan Glenn Andree
ITEM TYPE:	Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-48

SYNOPSIS: This settles a lawsuit filed by Jonathan Andree, a passenger in a pickup truck that was rear-ended by a City police cruiser in 2015. Mr. Andree suffered neck and back injuries from the crash. Mediation resulted in impasse, but Mr. Andree continued to negotiate through his attorney with the City's defense counsel. Mr. Andree is willing to accept a settlement in the amount of $80,000. The City's insurance carrier will pay the settlement and defense costs, and the City's portion is a deductible in the amount of $3,257.61.

FISCAL IMPACT: The settlement will be paid out of the City's Insurance funds set aside for deductibles account 631 22631.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-48.

Tammi E. Bach, City Attorney	03/20/2018
Dale Martin, City Manager	03/21/2018
Patti Clifford, Comptroller	03/21/2018

_________________________ Date: February 28, 2018

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION:

RESOLUTION 2018-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AGREEMENT OF SETTLEMENT IN THE CASE OF JONATHAN GLENN ANDREE V. CITY OF FERNANDINA BEACH; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in June 2017, Jonathan Andree pursued a legal challenge to the City of Fernandina Beach, specifically the matter of Jonathan Glenn Andree v. City of Fernandina Beach, Case No.: 2017-CA-154 in the Fourth Judicial Circuit in and for Nassau County, Florida; and

WHEREAS, the City Commission authorized the City Attorney to work with City claims administrator, Preferred Governmental Claim Solutions (PGCS), to appear on behalf of, and if necessary, defend the City of Fernandina Beach in this case; and

WHEREAS, in January 2018, the City Attorney and PGCS began settlement negotiations with Mr. Andree and his legal representation; and

WHEREAS, the parties recognize the tremendous time and expense that would be incurred by litigation of the matter, any appeals and the uncertainties inherent in any such litigation, and the parties have concluded that their interests would be best served by this settlement; and

WHEREAS, the General Release provides that the City and Mr. Andree agree that the City admits no liability or wrongdoing, and Mr. Andree does not admit that his claims lack merit.

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 General Release in the case of Fourth Judicial Circuit Court Case No.: 2017-CA-154, attached hereto as Exhibit "A", and authorizes the City Manager and City Clerk to execute all documents pertaining to such settlement after review and approval by the City Attorney.

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

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____

John A. Miller
Commissioner-Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

Caroline Best
City Clerk

Tammi E. Bach
City Attorney

GENERAL RELEASE

FOR AND IN CONSIDERATION of the sum of **EIGHTY THOUSAND DOLLARS AND NO CENTS ($80,000.00)**, which sum will be paid upon receipt of this executed General Release by the CITY OF FERNANDINA BEACH, to JONATHAN GLENN ANDREE (hereinafter "RELEASOR"), the undersigned does hereby release, acquit and forever discharge CITY OF FERNANDINA BEACH (hereinafter "RELEASEE"), and its respective agents, servants, successors, administrators, employees, assigns and insurance carriers, from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of services, expenses, liens, attorney's fees and compensation whatsoever which the undersigned RELEASOR now has or which may hereinafter accrue on account of or in any way growing out of an accident referred to, pled or which could have been pled, in certain litigation in the Circuit Court of the Fourth Judicial Circuit, in and for Nassau County, Florida, Case No. 17-CA-000154-AXYX, captioned JONATHAN GLENN ANDREE v. CITY OF FERNANDINA BEACH.

The undersigned hereby acknowledges full and final satisfaction and settlement of all claims, demands, actions and causes of action whatsoever which he has asserted, or may have asserted, arising out of, or in any way related to, the aforementioned accident, and agrees to file a Notice of Voluntary Dismissal with Prejudice, and each party shall bear his/its own attorneys' fees and costs.

JONATHAN GLENN ANDREE agrees to satisfy any loans, security interests, liens and subrogable interests out of the proceeds of this settlement including, but not limited to, liens of any kind related to this lawsuit, attorney's fee liens, hospital liens, medically related liens of any kind, Medicare liens, Medicaid liens, Workers Compensation liens, and health insurance liens.

In agreeing to and executing this Release, it is understood and agreed that the undersigned relies wholly upon his own judgment, belief and knowledge of the nature, extent and duration of his damages and claims, and upon the advice of his counsel. It is further understood and agreed that the payment of said amount is not to be construed as an admission of liability on the part of RELEASEE or on the part of any other person and/or entity; and it is further understood and acknowledged that this settlement is in the compromise of a doubtful and disputed claim, liability having been expressly denied.

Signed, sealed and delivered this _________ day of _______________________, 2018.

____
JONATHAN GLENN ANDREE

STATE OF FLORIDA
COUNTY OF _____________

The foregoing instrument was acknowledged before me this ____ day of _____________, 2018, by JONATHAN GLENN ANDREE. He __ is personally known to me or ___ produced ___________________________ as identification, and who did/did not take an oath.

(CONTINUED ON NEXT PAGE)

SEAL

Notary Signature

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-49 Interlocal Agreement -Nassau County Board of County Commissioners
ITEM TYPE:	Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-49

SYNOPSIS: This Resolution authorizes the execution of a new Interlocal Agreement (ILA) between the Nassau County Board of County Commissioners and and the City of Fernandina Beach for maintenance of the Simmons Road (River to Sea) Multi-use Trail.

In April, 2013, the City of Fernandina Beach and Nassau County submitted a joint application to fund the Simmons Road Multi-use Trail (Amelia River-to-Sea Trail) through to the Florida Department of Transportation's (FDOT) Transportation Alternatives Program. The application was submitted through the North Florida Transportation Planning Organization where it competed against other projects within the region . Ultimately, the Simmons Road Multi-use Trail (Amelia River-to-Sea Trail) project was selected and funded by FDOT at an estimated cost of $1,720,000. These funds are allocated by the Federal Highway Administration to the FDOT and then administered by the FDOT's District offices and various MPOs/TPOs.

The project will include the construction of up to a ten-foot wide multi-use path along Simmons Road starting on South Fletcher Avenue (Public Beach Access) and extending west to Bailey Road and then continuing south to the Ybor Alvarez softball complex. The proposed improvement would be within the existing public right-of-way .

Project design began in early 2017 with a target to commence construction in the first quarter of 2018. One of the conditions for receiving TAP funds is that the local jurisdiction agrees to maintain the improvements upon completion. In 2013, the City of Fernandina Beach agreed to split maintenance responsibilities with Nassau County via Resolution 2013-46.

FISCAL IMPACT: The estimated annual recurring cost for City's portion of trail maintenance is $3,500-$5,000. Funds will need to be budgeted and available in the Streets Maintenance accounts for Operating Supplies 0014100 55200 and the Repairs Maintenance Grounds account 0014100 54610 in FY 2018/2019 and every Fiscal Year thereafter.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-49.

Nicole Bednar, Administrative Services Manager	03/21/2018
Dale Martin, City Manager	03/21/2018
Patti Clifford, Comptroller	03/21/2018
Tammi E. Bach, City Attorney	03/23/2018
Katie Newton, Legal Assistant	03/23/2018

Kelly N. Gibson, AICP

Date: March 09, 2018

Submitted By: Kelly Gibson, AICP, Planning Manager

COMMISSION ACTION: Adopt

RESOLUTION 2018-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF FERNANDINA BEACH FOR SIMMONS ROAD (RIVER-TO-SEA) MULTI-USE TRAIL MAINTENANCE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in April, 2013, the Nassau County Board of County Commissioners and the City submitted a joint application to fund the Simmons Road (River-to-Sea) Multi-use Trail via Resolution 2013-46; and

WHEREAS, the trail project was selected by the North Florida Transportation Planning Organization and funded by the Florida Department of Transportation at an estimated cost of $1,720,000 with funds allocated by the Federal Highway Administration; and

WHEREAS, the trail consists of an up to 10-foot wide multi-use path along Simmons Road starting on South Fletcher Avenue and extending west to Bailey Road then continuing south to Ybor Alvarez softball complex within public right-of-way; and

WHEREAS, the project design began in early 2017 and construction is scheduled for the Spring/Summer of 2018; and

WHEREAS, a condition for receiving funds is that the local jurisdiction agrees to maintain improvements upon completion; and

WHEREAS, Resolution 2013-46 states that the City commits to entering into an agreement to accomplish the project installation and on-going maintenance; and

WHEREAS, the multiuse path is consistent with the City's Comprehensive Plan Objective 2.10 which supports bicycle and pedestrian, and multi-use path networks, specifically as referenced in policies 2.10.14, 2.10.17, and 2.10.18.

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

SECTION 1. INTERLOCAL AGREEMENT– The City Commission hereby directs the City Manager to execute an Interlocal Agreement with the Nassau County Board of County Commissioners committing to the ongoing maintenance of the Simmons Road (River-to-Sea) Trail.

SECTION 2. FILING – This Interlocal Agreement, attached hereto as Exhibit "A", shall be filed with the Clerk of the Circuit Court of Nassau City, Florida, prior to its effective date in accordance with Florida Statutes, 163.01 Florida Interlocal Cooperation Act of 1969.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
JOHN A. MILLER
Commissioner – Mayor

ATTEST:

____
CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

____
TAMMI E. BACH
City Attorney

Resolution 2018-49
Exhibit "A"
Contract No. CM2535

INTERLOCAL AGREEMENT
BETWEEN
NASSAU COUNTY, FLORIDA
AND THE
CITY OF FERNANDINA BEACH, FLORIDA
FOR THE SIMMONS ROAD MULTI-USE TRAIL

THIS INTERLOCAL AGREEMENT entered into this ______ day of _______________, 2018 by and between Nassau County, Florida, a political subdivision of the State of Florida, by and though its Board of County Commissioners, hereinafter the "COUNTY", and the City of Fernandina Beach, a municipal corporation organized under the laws of the State of Florida, hereinafter the "CITY", for the responsibilities for management of the Simmons Road Multi-Use Trail, hereinafter the "Project".

WHEREAS, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

WHEREAS, the State Comprehensive Plan requires local governments to protect the substantial investment in public facilities that already exist and to plan for and finance new facilities in a timely, orderly, and efficient manner; and

WHEREAS, the Project is consistent with and further implements certain Goals, Objectives and Policies as established in the Nassau County 2030 Comprehensive Plan, specifically Objective T.04; Policies T.04.01, T.04.02, T.04.03; Policy ROS.01.13; Objective ROS.02; Policies ROS.02.01 and ROS.02.02; and

WHEREAS, the Project is consistent with and further implements certain Goals, Objectives and Policies as established in the City of Fernandina Beach Comprehensive Plan, specifically Objective 2.10; Policies 2.10.14, 2.10.17, 2.10.18; and Policy 1.06.09; and

WHEREAS, the intent of the Project is to construct a shared-use path which will benefit the residents of the CITY and the COUNTY; and

WHEREAS, the Project will commence at the western extent of the travel lanes of South Fletcher Avenue (A1A) at the intersection with Simmons Road and continue west within the right of way of Simmons Road to its intersection with Bailey Road; the trail will continue south from the intersection of Simmons Road and Bailey Road within the right of way of Bailey Road to the Ybor Alvarez Sports Complex and the entrance to Crane Island; and

WHEREAS, the Project is currently scheduled for funding in Fiscal Year 2019 by Federal Alternative Transportation Project funds through the Florida Department of Transportation in the amount of $1,151,085.00; and

WHEREAS, the COUNTY and CITY have entered into this Agreement to further define responsibilities of ownership and maintenance of the Project.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants and other good and valuable considerations contained herein to be kept, the parties do hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
2. CITY Obligations.
    a. The City shall cooperate with the County throughout the length of the Project for the Project Scope, Project Plans Review, meetings with City Council, officials, board, and citizens; and any other issues which may arise within the City limits.
    b. The City will designate a City Project Manager to be the liaison to the County throughout the construction, engineering and inspection process of the Project.

c. The City Project Manager will provide support to the County during the Project, including assisting the County to ensure that all City requirements are encompassed in the contract between the County and the selected Engineering Consultant.

d. The City shall abide by all terms applicable to the City which are contained within the LAP Agreement and shall assist the County with complying with the terms of the LAP Agreement.

e. The City hereby irrevocably covenants to budget and appropriate from non-ad valorem funds the funding necessary to appropriately maintain those portions of the Project within the City's jurisdiction, which is that area from Beach Access No. 30 west along the Simmons Road corridor, to the center line of Egan's Creek and the segment within the Simmons Road right-of-way between the western boundary of the 14th Street right-of-way and the eastern boundary of the Bailey Road right-of-way. This provision includes the maintenance of any trail amenities established along the trail within the stipulated segments including, but not limited to, benches, kiosks, viewing platforms, boardwalks, bicycle racks, pergolas, landscaping or other similar items and those facilities within the Ybor Alvarez Sports Complex and public Beach Access No. 30.

f. For the trail segment laying within the unopened ROW of Simmons Road between Bailey Road and Amelia Road, the City's maintenance responsibility is limited to the width of the trail (paved area) plus two feet on either side of the trail and any related trail amenities and related infrastructure, i.e cross drains, boardwalks, etc.

3. COUNTY Obligations.
   a. The County agrees to enter into a Local Agency Program Agreement with the Florida Department of Transportation (FDOT) to obtain funding for this Project. If FDOT elects not to enter into a Local Agency Program Agreement with the County for this Project, this Interlocal Agreement will be considered terminated. In such event, the parties agree that the County will not be considered in beach of this Agreement.
   b. The County hereby irrevocably covenants to budget and appropriate from non-ad valorem funds the funding necessary to appropriately maintain those portions of the Project within the County's jurisdiction, which is that area from the center line of Egan's Creek to the western boundary of the 14th Street right-of-way and the segment located within the right-of-way of Bailey Road from the northern boundary of the Simmons Road right-of-way to the terminus of the Bailey Road right-of-way at the entrance to the Ybor Alvarez Sports Complex including any trail amenities located within the stipulated segments including, but not limited to, benches, kiosks, viewing platforms, boardwalks, bicycle racks, pergolas, landscaping or other similar items.
   c. The County shall be responsible for mowing, debris removal, ditch maintenance of the trail.
4. Severability. If any section, clause, or provision of this Agreement is held invalid, the remainder of this Agreement shall be construed as not having contained said section, clause, or provision, and shall not be affected by said holding.
5. Modification. Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained

in a written document executed by the parties hereto, with the same formality and of equal dignity herewith.

6. Notices.

   a. All notices, demands or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

COUNTY	CITY
County Manager	City Manager
96135 Nassau Place, Suite 1	204 Ash Street
Yulee, Florida 32097	Fernandina Beach, Florida 32034

CC to:

Public Works Director
96161 Nassau Place
Yulee, Florida 32097

Planning & Economic Opportunity Director
96161 Nassau Place
Yulee, Florida 32097

7. No Agency. Nothing contained herein shall be construed to constitute either of the parties, nor any of its agents or employees, as the agent of the other.

8. Authority. Each of the parties represents to the other that the execution of this agreement has been duly and properly authorized by the governing bodies of each of the parties, and each has full authority to execute the same through its representative whose signatures appear below.

9. Entire Agreement. This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein. This Agreement may not be assigned except with the written consent of the other party. This Agreement is made

under, and in all respects shall be interpreted, construed and governed by and in accordance with, the laws of the State of Florida. Venue for any legal action resulting from this Agreement shall lie in Nassau County, Florida.

10. Effective Date. This Agreement shall become effective on the date on which this Agreement is executed by the last party hereto.

11. Filing. This Interlocal Agreement shall be filed with the Clerk of the Circuit Court of Nassau County, Florida, prior to its effective date, in accordance with Florida Statutes, 163.01(11).

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: The County, through its Board of County Commissioners, signing by and through its Chairman, and by the City of Fernandina Beach, through its City Commission.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

____
Pat Edwards
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

____
JOHN A. CRAWFORD
Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE NASSAU COUNTY ATTORNEY:

____
MICHAEL S. MULLIN

(SIGNATURES CONTINUE ON THE NEXT PAGE)

CITY OF FERNANDINA BEACH

JOHN A. MILLER
Its: Commissioner-Mayor

ATTEST:

CAROLINE BEST
Its: City Clerk

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
Its: City Attorney

RESOLUTION 2013-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA ENDORSING THE INSTALLATION OF AN UP TO 12 FOOT WIDE AND 2.2 MILE LONG MULTI-USE PATH ALONG SIMMONS ROAD STARTING ON SOUTH FLETCHER AVENUE AND EXTENDING WEST TO BAILEY ROAD AND THEN CONTINUING SOUTH TO THE YBOR ALVAREZ SOFTBALL COMPLEX; PROVIDING FOR EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation (FDOT) proposes to fund and install an up to 12-foot wide multi-use path along Simmons Road starting on South Fletcher Avenue and extending west to Bailey Road and then continuing south to the Ybor Alvarez softball complex using Transportation Enhancement dollars in fiscal year 2019; and

WHEREAS, the City would permit the use of City owned properties located at the south side of 1st Avenue and Simmons Road for use as a trailhead and allow construction of the trail to take place on these properties and permit installation of signage and necessary trail components on adjoining City owned properties along the proposed multi-use trail; and

WHEREAS, the FDOT has requested the City commit to entering into a Memorandum of Agreement to formalize the obligations of both parties to accomplish the project's installation and ongoing maintenance; and

WHEREAS, the City of Fernandina Beach finds that the multi-use path project is in the best interest of the City as an alternative east to west cross island route to the benefit of residents and visitors alike; and

WHEREAS, the multi-use path is consistent with the League of American Bicyclists recommendations as received in the City's 2011 honorable mention as a Bicycle Friendly Community and would enhance the City's attempt to seek an upgraded status in its 2013 application; and

WHEREAS, the multi-use path is consistent with the City's Comprehensive Plan Objective 2.10 which supports bicycle, pedestrian and multi-use paths network, specifically Policies 2.10.14, 2.10.17, and 2.10.18.

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

SECTION 1. The City Commission hereby endorses the proposed project identified on "Exhibit A" and will partner with Nassau County on construction and maintenance of the trail sections located on City property.

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

SECTION 3. Adopted this 2nd day of April, 2013.

CITY OF FERNANDINA BEACH

Sarah L. Pelican

Sarah L. Pelican
Commissioner – Mayor

ATTEST:

Kimberly Briley Elliot

Kimberly Briley Elliot
Deputy City Clerk

APPROVED AS TO FORM:

Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-50 Easement Agreement - Florida Public Utilities (FPU)
ITEM TYPE:	Resolution (w/o fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-50

SYNOPSIS: This easement agreement allows Florida Public Utilities (FPU) to construct and maintain a new power line to service the Fernandina Beach Municipal Airport's new terminal facility. The proposed easement extends from the edge of the right-of-way to the new facility, and has been reviewed by Passero Associates and F&G Construction for accuracy in placement.

FISCAL IMPACT: There is no fiscal impact derived from execution of this proposed easement.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-50.

Nathan Coyle, Airport Manager	03/19/2018
Dale Martin, City Manager	03/21/2018
Tammi E. Bach, City Attorney	03/22/2018

_________________________ Date: March 12, 2018
Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Adopt

RESOLUTION 2018-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING AN EASEMENT AGREEMENT FOR A FLORIDA PUBLIC UTILITIES (FPU) POWER LINE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City owns property at the Fernandina Beach Municipal Airport; and

WHEREAS, Florida Public Utilities Company (FPU) requests that the City grant it a permanent easement for the installation and maintenance of a power line approximately sixty feet in length and ten feet in width to provide power service to the new Airport Terminal facility; and

WHEREAS, the City desires to grant a permanent easement to FPU for the installation and maintenance of a power line to serve the new Airport Terminal.

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

SECTION 1. The City Commission hereby abandons and vacates that certain portion of the utility and power easement as described on Exhibit "A," attached hereto.

SECTION 2. This Resolution shall take effect immediately upon passage.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
John A. Miller
Commissioner – Mayor

ATTEST:

____
Caroline Best
City Clerk

APPROVED AS TO FORM & LEGALITY:

____
Tammi E. Bach
City Attorney

EASEMENT

This Instrument Prepared for
Florida Public Utilities Company
780 Amelia Island Parkway
Fernandina Beach, FL 32035

Parcel I.D. # ____________________
(Maintained by County Property Appraiser)

The undersigned, their heirs, successors, lessees and assigns ("Grantor") in consideration of the payment of $1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give **Florida Public Utilities Company ("the Company")**, its agents, successors, and assigns, a perpetual easement and right to construct, operate, maintain, and re-construct or improve overhead or underground electric utility facilities on, over, across, and through the following described land in Nassau County, Florida:

PROPERTY DESCRIPTION

EASEMENT DESCRIPTION

The rights herein granted to the Company by the Grantor specifically include (a) the right for the Company to patrol, inspect, alter, improve, repair, rebuild, relocate, and remove said facilities; further the Company hereby agrees to restore the Easement Area to as near as practicable the condition which existed prior to such construction, repairs, alteration, replacement, relocation or removal as a result of the Company's safe and efficient installation, operation or maintenance of said facilities; (b) the reasonable right for the company to increase or decrease the voltage and to change the quality and type of facilities; (c) the reasonable right for the Company to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of the Company, endanger or interfere with the safe and efficient installation, operation or maintenance of said facilities; (d) the reasonable right for the Company to trim or remove any timber adjacent to, but outside the Easement Area which, in the reasonable opinion of the Company, endangers or interferes with the safe and efficient installation, operation or maintenance of said facilities; (e) the reasonable right for the Company to enter upon land of the undersigned adjacent to said Easement Area for the purpose of exercising the rights herein granted; and (f) all other rights and privileges reasonable necessary or convenient for the Company's safe and efficient installation, operation and maintenance of said facilities and for the enjoyment and use of said easement for the purposes described above. The right and easement herein granted are non-exclusive as to the entities not engaged in the provision of electric energy and service and the Grantor reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or unreasonably conflict with the rights granted to the Company herein.

The Grantor hereby covenants and agrees that no buildings, structures or obstacles (except fences) shall be located, constructed, excavated or created within the Easement Area. If fences are installed, they shall be placed so as to allow ready access to the Company's facilities and provide a working space of not less than twelve (12) feet on the opening side and two (2) feet on all other sides of any pad mounted transformer. The Grantor further agrees that in no event shall the Grantor call on the company to relocate said facilities, unless it is determined jointly by the Grantor and the Company that such removal or relocation is necessary on account of future buildings, roadways or safety requirements requested by the Grantor. In such cases the Company reserves the right to determine, from the

Return mail to:
Electrical Engineering Department
Florida Public Utilities Company
780 Amelia Island Parkway
Fernandina Beach, Florida 32034

standpoint of conditions disclosed at the time, whether the expense involved in removing or relocating such facilities shall be at the Company's expense or at the expense of the Owner or Owners.

Installed facilities and/or transformer(s) may be tapped or extended to serve adjacent properties, when it is in the best interest of the Company to do so. Care shall be used to insure that any connections to the facilities shall not interfere with buildings or driveways of the Grantor. Such taps or extensions will carry the same rights and privileges as the original easement.

In Witness Whereof, the instrument was signed and sealed on ______________________, 20__

Signed and acknowledged in the
presence of the following witnesses:

	By: ______________________
______________________ (Witness Signature)	(Grantor's Signature)
Print Name: ______________________	Print Name: ______________________
	By: ______________________
______________________ (Witness Signature)	(Grantor's Signature)
Print Name: ______________________	Print Name: ______________________
	By: ______________________
APPROVED AS TO FORM AND LEGALITY:	(Grantor's Signature)
CITY ATTORNEY	Print Name: ______________________

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this _____ day of ______________, 20__

by ______________________ and ______________________

who is (are) personally known to me or has (have) produced ______________________

as identification, and who did (did not) take an oath.

NOTARY SEAL

____
Notary Signature

Return mail to:
Electrical Engineering Department
Florida Public Utilities Company
780 Amelia Island Parkway
Fernandina Beach, Florida 32034

MANZIE & DRAKE LAND SURVEYING

LEGAL DESCRIPTION
PREPARED FOR FLORIDA PUBLIC UTILITIES
MARCH 3, 2018

A PORTION OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, BEING A STRIP OF LAND 10 FEET IN WIDTH LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 89°43'29" WEST, ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 593.24 FEET TO INTERSECT THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE AMELIA ISLAND PARKWAY (HAVING A VARIABLE RIGHT-OF-WAY), SAID INTERSECTION BEING ALSO THE NORTHWESTERLY CORNER OF PARCEL "10-B", AS RECORDED IN OFFICIAL RECORDS BOOK 1243, PAGES 1349-1362, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE AFOREMENTIONED SOUTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL "10-B" THE FOLLOWING THREE COURSES; 1) SOUTH 50°36'49" EAST A DISTANCE OF 183.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1050.00 FEET; 2) THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°58'09" AN ARC DISTANCE OF 805.78 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 72°34'09" EAST A DISTANCE OF 786.15 FEET; 3) THENCE NORTH 85°26'46" EAST A DISTANCE OF 20.08 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF AIRPORT ROAD (HAVING A 60.00 FOOT RIGHT-OF-WAY) BEING ALSO THE SOUTHEAST CORNER OF SAID PARCEL "10-B"; THENCE ALONG THE WESTERLY AND NORTHERLY RIGHT-OF-WAY LINE OF SAID AIRPORT ROAD THE FOLLOWING TWO COURSES; 1) SOUTH 07°15'01" WEST A DISTANCE OF 108.96 FEET; 2) SOUTH 80°41'30" WEST A DISTANCE OF 1,234.76 FEET; THENCE SOUTH 09°18'30" EAST A DISTANCE OF 60.00 FEET TO THE INTERSECT THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID AIRPORT ROAD AND THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 09°18'30" EAST A DISTANCE OF 60.00 FEET TO THE TERMINUS OF SAID CENTERLINE.

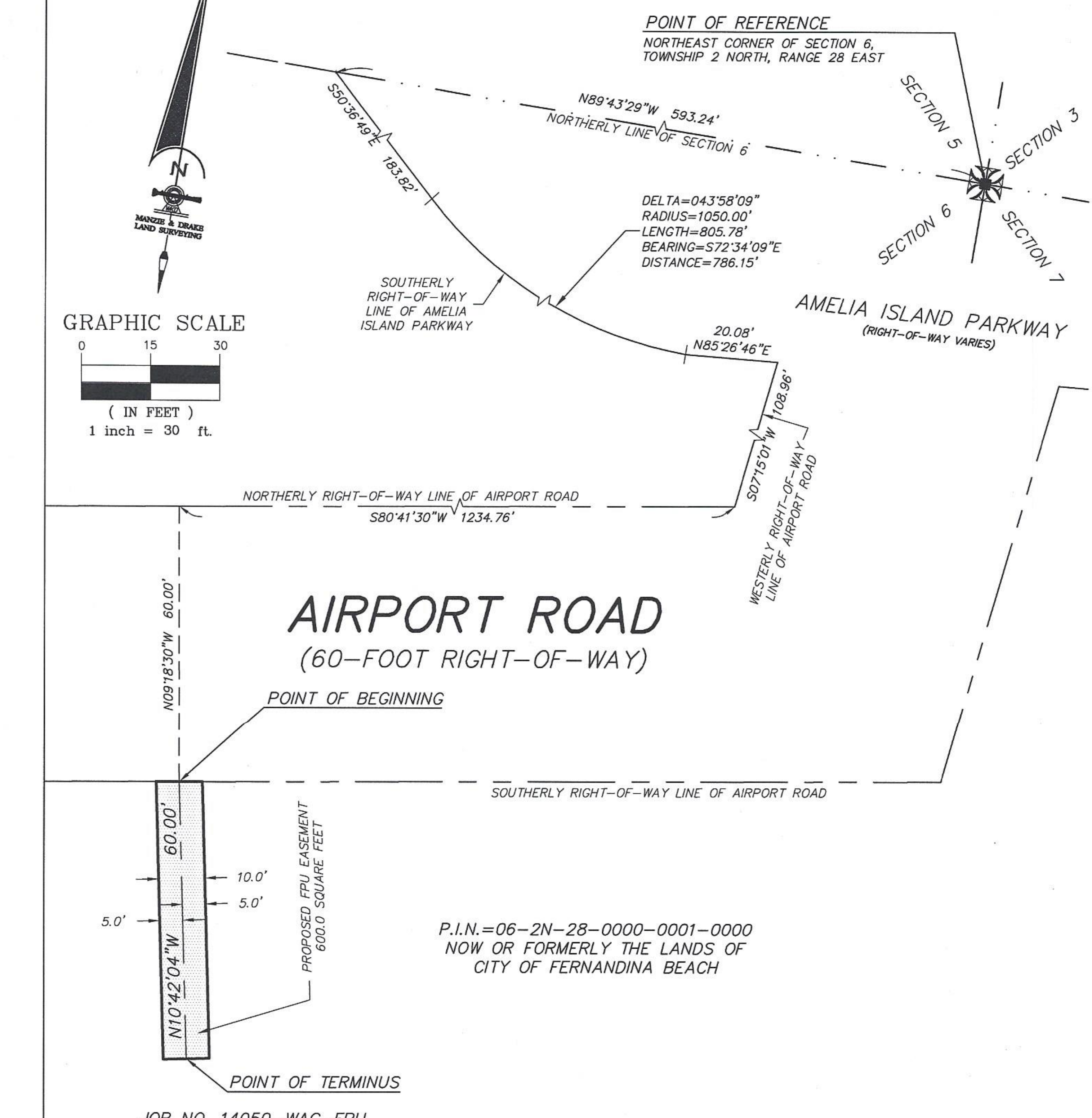
Michael A. Manzie

MICHAEL A. MANZIE, P.L.S.
FLORIDA REGISTRATION NO. 4069
JOB NO. 14050-FPU 3/4/18

MANZIE & DRAKE LAND SURVEYING

SKETCH OF LEGAL DESCRIPTION

(LEGAL DESCRIPTION ATTACHED)
(THIS IS NOT A BOUNDARY SURVEY)



JOB NO. 14050-WAC-FPU

117 SOUTH 9TH STREET, FERNANDINA BEACH, FL 32034
OFFICE (904)491-5700 WWW.MANZIEANDDRAKE.COM

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-30 City Commission Fiscal Year 2018/2019 Goals
ITEM TYPE:	Resolution (w/o fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-30

SYNOPSIS: The City Commission conducted its annual visioning session on January 24, 2018, at the Fernandina Beach Golf Course. The session, moderated by City Manager Dale L. Martin, discussed priority projects identified by City Commissioners.

The proposed goals have been refined to provide more specific direction and metrics. The City Commission should review and, if appropriate, revise the proposed goals. Once so considered, the City Commission should formally adopt the Fiscal Year 2018/2019 goals.

FISCAL IMPACT: The funding for the adopted goals will be incorporated into the Fiscal Year 2018/2019 budget. Funding for some projects associated with adopted goals may be available in the current Fiscal Year 2017/2018 budget.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-30.

Dale Martin, City Manager	03/22/2018
Patti Clifford, Comptroller	03/22/2018
Tammi E. Bach, City Attorney	03/23/2018

Date: March 21, 2018

Submitted By: Nicole Bednar, Administrative Services Manager

COMMISSION ACTION: Adopt

RESOLUTION 2018-30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ADOPTING THE CITY COMMISSION'S FISCAL YEAR 2018/2019 GOALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission annually meets to discuss and develop goals for the coming year; and

WHEREAS, the City Commission, joined by staff and members of the public, met on January 24, 2018, to consider such goals; and

WHEREAS, after deliberation, the City Commission prioritized a series of goals for Fiscal Year 2018/2019, with a summary of those goals attached as Exhibit "A"; and

WHEREAS, the City Commission reviewed and reconfirmed those goals at a Regular Meeting of the City Commission on March 6, 2018.

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

SECTION 1. The City Commission hereby adopts the Goals (and related measurements), Opportunities, and Considerations described in Exhibit "A."

SECTION 2. The City Commission offers its direction and support to City staff to pursue and complete the Goals as indicated.

SECTION 3. The City Commission retains the ability, by subsequent Resolution, to amend or otherwise revise or add to the existing Goals in the interests of the health, safety, and welfare of the City of Fernandina Beach.

SECTION 4. This Resolution shall be effective immediately upon adoption.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____

JOHN A. MILLER
Commissioner – Mayor

ATTEST:

CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
City Attorney

City Commission Goals (proposed: Jan 24, 2018; codified Mar 6, 2018, by Resolution 2018-30)

Goal	*Objective*	*Deadline*
1. Develop waterfront	a. Approve design-build package	Mar 20, 2018
	b. Post/publish design-build notice	Mar 28, 2018
	c. Obtain USACOE permit for repairs	Mar 29, 2018
	d. Receive/open design-build qualifications	Apr 27, 2018
	e. Award design-build contract	May 15, 2018
	f. Present Planning Advisory Board waterfront development recommendation to City Commission	Jul 17, 2018
	g. Complete Marina repairs (as determined by Construction Manager)	Sep 28, 2018
	h. Demolish structure located at 101 N. Front Street	Oct 31, 2018
2. Implement project management	a. Integrate Project Management worksheets with City Commission awards	Mar 2, 2018
	b. Present Purchasing Policy revisions to City Commission	May 15, 2018
3. Support conservation efforts	a. Present ordinance to City Commission to provide for conservation trust fund	May 1, 2018
4. Review residential density standards	a. Present Planning Advisory Board recommendations to City Commission	Oct 16, 2018
5. Review beach parking	a. Present beach parking opportunities to City Commission	Jun 19, 2018
6. Preserve beach quality of life	a. Develop and implement Beach Ranger program	May 25, 2018
7. Review Fire Department services	a. Present facilities recommendation to City Commission	Aug 7, 2018

GOALS

Develop Waterfront

Within the Next 4 Months

1. Obtain and complete Railroad engineering study [See Exhibit A]
2. Obtain and complete Seawall [between Brett's and boat ramp] engineering study [See Exhibit B]
3. Develop and implement plan to move channel lines
4. Storm water management plan and funding source decided
5. Obtain attenuator repair permit from Army Corps Engineers
6. Award design-build contract for attenuator
7. Complete fuel dock repairs
8. Obtain appraisal on Simmons / O'steen Property
9. Decide use of Island Seafood Building site and funding source – appoint Main Street to investigate options
10. Asses and address with a funding source any issues raised in the engineer's report concerning Brett's building
11. Complete plan to repair Dockmaster's office and determine future use
12. Decide long term use of Atlantic Seafood Building with funding source.
13. Obtain Engineering report to determine life expectancy of the boat ramp and to determine replacement of associated seawall south of the boat ramp and identify funding source

Within the Next 8 Months

1. Attenuator repaired
2. Implement plan for use of Island Seafood Building site with funding source
3. After completion of the railroad engineering study, obtain a traffic engineering study to determine traffic pattern options on Front Street, Alachua Street, Center Street, and Ash Street.

4. Decide whether to buy Simmons / O’steen Property and implement purchase and funding plan
5. Implement plan for use of Island Seafood Building
6. Implement plan for use of Atlantic Seafood building
7. Prepare plan and identify funding source to repair of seawall south of boat ramp
8. Repair of Dockmaster’s office completed
9. Decide whether to proceed with building Parking Lot B [based on Railroad engineering, Seawall engineering studies and Traffic study] and identify funding source
10. Complete plan for pedestrian walkway between Ash and Center streets on east side and identify funding source [Appoint Main Street to manage the project]
11. Obtain and complete seawall engineering study [between Brett’s and Simmons / O’steen Property] engineering study.
12. Decide whether to proceed with realignment of South Basin and determine funding source.
13. Decide whether to proceed with extension of Northern Docks and identify funding source
14. Complete a plan for pedestrian walkway between Ash and Center streets on east side and identify funding source
15. Decide whether to purchase Simmons / O’steen Property.

Within the Next 12 Months

1. Decide whether to build a vehicular / pedestrian crossing or pedestrian crossing at Alachua Street [predicated on Railroad engineering and traffic engineering studies] and identify funding source
2. Plan and funding source to replace [if necessary] seawall from Brett’s to Island Seafood property.
3. Design Parking Lot A [based on Railroad engineering study, Seawall engineering study, and possible purchase of Simmons / O’steen Property]
4. Determine funding source and build Parking Lot B [if consensus of Commission]

Conservation Land

Within the Next 4 months

1. Develop and adopt Conservation Land Trust Fund
2. Hire City Arborist to manage trees and Greenway
3. Identify target list of properties to preserve and plan with funding source to conserve

Fire Department Services

Within the Next 6 months

1. Present facilities recommendations to City Commission
2. Present funding recommendations to City Commission

Beach Parking and Beach Maintenance

ASAP

Institute beach ranger program

Within the Next 6 months

1. Inventory of Beach Parking
2. Decide where and whether to institute paid beach parking
3. Decide whether to institute areas of resident only beach parking
4. Decide how much beach parking will be provided and where
5. Inventory and condition of beach trash cans
6. Plan with funding source for managing beach trash

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Resolution 2018-51 Sole Source Vendor Approval for Emergency Repairs - Cole Builders
ITEM TYPE:	Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2018-51

SYNOPSIS:

Section E.6/E.7 of the Purchasing Policy provides procedures for Sole Source/Emergency Procurement. Any purchases over $20,000 require City Commission approval.

The purpose of this Resolution is to obtain City Commission approval for Cole Builders to perform emergency repairs to the City Golf Course Clubhouse Dining Room. Cole Builders has provided construction and repair services to the City of Fernandina Beach for other projects in the City. See attached Structural Inspection Report for further details.

FISCAL IMPACT:

This expense will be charged to the Golf Repairs / Maintenance Buildings account #410 54610. Funds are not available in the #410 54610 account and will require a budget amendment transferring funds into the account. Funds will be transferred from the Golf Course Reserve account # 410 59990. The Reserve account budget is currently a negative $699,371 and this budget transfer will increase the negative amount.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2018-51.

Jeremiah Glisson, Fleet & Facilities Maintenance Director	03/27/2018
Dale Martin, City Manager	03/27/2018
Patti Clifford, Comptroller	03/27/2018
Tammi E. Bach, City Attorney	03/27/2018

Submitted By: Cathy Sabattini, Administrative Coordinator   Date: March 27, 2018

COMMISSION ACTION: Adopt

RESOLUTION 2018-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING COLE BUILDERS AS A SOLE SOURCE VENDOR TO PERFORM EMERGENCY REPAIRS TO THE CITY GOLF COURSE CLUBHOUSE DINING ROOM IN THE AMOUNT OF $33,810; APPROVING A BUDGET AMENDMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, any purchases that exceed $20,000 require approval by the City Commission; and

WHEREAS, due to the emergency nature of these repairs the standard bid process is not being used. Section E.6/E.7 of the Purchasing Policy provides procedures for Sole Source/ Emergency Procurement; and

WHEREAS, on March 12, 2018, Gillette & Associates inspected the City Golf Course Clubhouse and found damage in the ceiling and soffit system which is a current safety concern. Gillette & Associates recommended repairs be made as soon as possible; and

WHEREAS, Cole Builders provided an estimate of $33,810 to complete such repairs; 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, funds are not available in the Golf Repairs / Maintenance Buildings account, #410 54610 for this repair; Staff recommends a transfer from the Golf Course Reserve account # 410 59990. The Reserve account budget is currently a negative $699,371 and this budget transfer will increase the negative amount.

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

SECTION 1. The City Commission hereby approves Cole Builders as a sole source vendor for the emergency repairs at the City Golf Course Clubhouse in an amount not to exceed $33,810.

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

SECTION 3. The City Commission hereby approves a budget amendment transferring $33,810 to the Golf Repairs / Maintenance account, 410 56410, from the Golf Reserve account, 410 59990.

SECTION 4. This Resolution shall become effective immediately upon passage.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
John A. Miller
Mayor - Commissioner

ATTEST:

____
Caroline Best
City Clerk

APPROVED AS TO FORM AND LEGALITY:

____
Tammi E. Bach
City Attorney

COLE BUILDERS

CBI Construction, Inc.
License # CGC 1512007/#CCC 1327979
1901 Island Walkway Suite 305
Fernandina Beach, FL 32034
(904) 426-2703 Cell
(904) 302-8606 Office
(904) 379-3560 Fax

Date: March 26th, 2018

To: City of Fernandina Beach Maintenance & Managers Office

From: Tracy Higginbotham

RE: Emergency Repairs to City Golf Course Clubhouse

Cole Builders is pleased to provide you with a proposal to perform the following work.

Includes:
- Permits
- County inspections
- Dumpster w/debris removal

TRUSS REPAIR THROUGHOUT CLUBHOUSE AS NEEDED
- Seal and block off doors to other rooms to prevent dust from leaving work area as well stopping non-construction personnel from entering work areas
- Seal off kitchen pass and install temp. wall to allow kitchen/wait staff passage to & from kitchen/other club rooms
- Remove attic insulation to expose any damage to existing truss members
- Remove up to 4' of textured ceiling starting at wall top plate (any additional removal of drywall/ceiling will require a change order)
- Remove sup to 2' of wall board to fully expose the top plate as needed to perform repairs as described by engineering plans
- Remove cantilevered soffit system and lights attached to same throughout room
- Attempt to raise truss webbing by jacking it back to its original height (if needed or possible) then gusseting it back at appropriate height
- If not able to return trusses to original height, then will be gusseted in place. This may cause framing issues to square up ceiling slopes or wall sections (will require change order)
- (Does not include any plumbing in ceiling, to be determined after ceiling is opened)
- Paint walls to match current finish with Sherwin Williams Super-paint or equal

CEILING REPAIRS IN CENTRAL CLUB & BAR AREA
- Repair areas of damage to ceiling over bar
- Replace ceiling where previously removed. Follow same slope angle downward to 8' at which point carry ceiling horizontally across to where it intersects wall at roughly 90deg.
- Replace insulation batting to meet current code
- Spray knockdown on smooth/flat ceiling areas
- Overspray knockdown on repaired areas of the vaulted ceiling

- Relocate AC vents, duct boxes and registers after demo and framing complete
- Install 20 new can light LED fixtures (see light allowance)
- Remove current can lights in bar and replace with LED can lights (see light allowance)

Allowances:

- $3500.00 Lighting Fixtures
- $500.00 Permit

All allowances shall be reconciled to actual costs upon completion of project. If the actual cost is less than the allowance, the difference will be refunded to the owner. If the actual costs exceed the allowance, the owner shall pay the overage at cost.

The above work shall be performed in a workmanlike manner for the sum of: **$33,810.00** Total

Respectfully submitted: Tracy Higginbotham Site Estimator/Project Manager

ACCEPTANCE OF PROPOSAL – The above prices, specifications, and conditions are satisfactory and are here-by accepted. You are authorized to do the work as specified above. Payment will be per contract terms.

Authorized Signature Cole Builders

Signature______________________________ Signature Tracy Higginbotham

Lights	$3,500.00	40%	$ 4,900.00			
Permit	$500.00	40%	$ 700.00			
Paint	$2,200.00	40%	$ 3,080.00			
Insulation	$1,500.00	40%	$ 2,100.00			
AC Work	$2,000.00	40%	$ 2,800.00			
			$33,110.00			

March 16, 2018

Mr. Jeremiah Glisson
City of Fernandina Beach
1017 South 5th Street
Fernandina Beach, Florida 32034

Re: Structural Inspection – Ceiling Cracks and Damage
Golf Course Pro Shop
City of Fernandina Beach
Bill Melton Road
Fernandina Beach, FL

Dear Mr. Glisson:

On March 12, 2018 we inspected the ceiling system in the pro shop snack bar area and banquet rooms with Mr. Craig Williams from the C.O.F.B. Maintenance Department. The ceiling and soffit systems in these three areas are exhibiting cracking throughout, with the pro shop snack and seating area appears to be the worst. Mr. Williams and I examined the trusses in the attic above the snack bar seating area and noticed the bottom chord of the trusses are beginning to pull apart from the truss web members. This problem was previous happening to the connection between the top chord of the truss and the truss web members and was repaired in 2016.

It was mentioned in the past that during construction of the pro shop (circa 1999), the trusses remained exposed to the weather and elements for a long period of time before being installed. The ceiling in the pro shop snack bar seating area consists of a sloped ceiling with a cantilevered boxed tray system surrounding the perimeter of the room at the top of the wall, which houses lighting used for the room. The two banquet rooms also contain the same cantilevered, boxed ceiling system. We believe the cracking and bowing of the ceiling and cantilevered, boxed tray system are being caused by the separation of the bottom chord of the trusses from the web members. This separation problem appears to be compounded by the weight induced by the cantilevered boxed tray system, coupled with weak connection points possibly caused by the trusses overexposure to weather prior to installation (during the construction period).

We recommend the following repair for the ceiling systems in the snack bar seating area and both banquet rooms. The snack bar seating area appears to be the worst at this time, so repairs to that area should be considered first.

- Remove or pull back attic insulation over gypsum board to be removed.
- Remove cantilevered tray system with lights.
- Remove gypsum board ceiling system around the perimeter of the room exposing the bottom chord of the trusses. Start with removal of four (4) feet of gypsum board from the wall top plate and up the sloped ceiling. Additional gypsum board may need to be removed to access the bottom chord connection points around the room perimeter.

- Attempt to jack the bottom chord back into place at each truss and install a wood gusset to the bottom chord and corresponding web member. This is similar to the repair to the top chord separation back in 2016. Do not try to overly force the bottom chord back into place as this may cause additional damage to the truss system. If the bottom chord will not go back into place, install the wood plate gusset with the truss in its current position. Additional firring and shaping may be required to tie the new ceiling system back in. Reference attached repair sketch.
- Installation of wood gusset plates will be easier from under the truss in lieu of trying to make the repair in the attic.
- Install new recessed can lights in the sloped ceiling system to provide light to the room (consult with an licensed electrical contractor). Remove gypsum board as required to install the new lighting. Utilize the circuits for the tray lights for the new recessed lighting.
- Replace gypsum board ceiling and finish as desired by owner (i.e. knock-down, textured, smooth etc.). We suggest not re-installing the cantilevered tray system. Paint ceiling and room as required.
- Install the insulation back in it's place or install new if old insulation could not be saved or reused.

We suggest these repairs be made as soon as possible since it likely the situation will get worse. Although we do not anticipate imminent danger of the roof system collapsing, we do see a good possibility that the cantilevered tray system around the room perimeter may breakaway from the ceiling, potentially causing damage and injury.

We hope you find this letter satisfactory to allow for repair. The structural integrity of the building has not been compromised at this time. If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

Asa R. Gillette, P.E.
FL P.E. No. 56177
Gillette and Associates, Inc.

cc: T. Perez-Guerra, Building Official (C.O.F.B.)
file

20 SOUTH 4TH STREET • AMELIA ISLAND, FLORIDA 32034 PHONE: (904) 261-8819

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Ordinance 2018-01 Land Development Code Amendment - Variances
ITEM TYPE:	Ordinance (w/o fiscal impact)

REQUESTED ACTION: Enact Ordinance 2018-01 at Third Reading.

SYNOPSIS: Following the direction provided by the City Commission at its Regular Meeting on September 14, 2017, staff worked to prepare an application which directs variance requests for lot combination within the defined Job Opportunity areas to be heard by the City Commission (PAB 2017-13). The Planning Advisory Board (PAB) recommended denial of the amendment. On November 8, 2017, Ordinance 2017-24 failed at First Reading and concurrently the City Commission directed that staff generate a new text amendment to have all variance requests pertaining to both lot combination and the filling of wetlands heard by the City Commission. As directed, staff initiated the current draft Land Development Code (LDC) amendment.

The PAB considered the request at its Regular Meeting on January 10, 2018, and issued a unanimous recommendation of denial. In keeping with the staff recommendation, the PAB cited that the Board of Adjustment (BOA) or Historic District Council (HDC) are the most appropriate bodies to hear and consider any variance requests. Further, the board directed that no wetlands variance applications should be taken under review as it would violate provisions of the Comprehensive Plan (policy 5.08.04) and referenced in LDC Section 10.02.01(C)(2).

Staff finds that the BOA and HDC are boards which are well versed in making determinations of hardship under the guidance of the City's criteria for granting a variance. Changes, such as those under consideration, not only serve to undermine prior efforts of remove subjective decision making procedures through the LDC re-write in 2006, but it also erodes the arduous work provided by volunteer bodies serving the City to improve processes which are equitably applied. Respectfully, staff recommends denial of the proposed amendments to remove variance review authority from the BOA.

This Ordinance was amended and approved by the City Commission at First Reading on February 6, 2018, to add a prohibition against granting a variance for filling wetlands. This Ordinance was further amended on second reading on March 6, 2018, to add a prohibition against granting a variance for exceeding the thirty-five foot height limit for oceanfront properties. This is the third reading of this Ordinance.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact proposed Ordinance 2018-01 at Third Reading.

Kelly Gibson, AICP, Planning Manager	03/19/2018
Nicole Bednar, Administrative Services Manager	03/21/2018
Dale Martin, City Manager	03/23/2018
Tammi E. Bach, City Attorney	03/23/2018

Date: March 08, 2018

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Enact

ORDINANCE 2018-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 TO PROVIDE THE CITY COMMISSION WITH REVIEW AUTHORITY OF CERTAIN VARIANCE REQUESTS; PROHIBITING THE GRANTING OF A VARIANCE FOR FILLING WETLANDS; PROHIBITING THE GRANTING OF A VARIANCE TO EXCEED 35-FOOT BUILDING HEIGHT LIMIT FOR PROPERTIES WITHIN 800 FEET OF THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach has applied for LDC text amendments regarding limitations on the grant of a variance (Section 10.02.01) to allow variance consideration by the City Commission for hardship requests to combine lots along the western sides of North Fletcher Avenue or South Fletcher Avenue, for properties within the City's Job Opportunity Areas (Comp Plan Objective 12.05), to prohibit granting of a variance to fill wetlands (LDC Section 3.03.03(A) and Comprehensive Plan Policy 5.08.04) and to prohibit granting of a variance to exceed 35-foot building height limit for properties within 800 feet of the mean high water mark of the Atlantic Ocean (LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1);

WHEREAS, the City Commission adopted a unified Land Development Code (LDC) on September 5, 2006 which became effective on October 1, 2006; and

WHEREAS, the City's adopted 2030 Comprehensive Plan directs changes to the Land Development Code for consistency with State Laws and current planning methods for growth and economic development; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Regular Meeting on Wednesday, January 10, 2018, and issued a unanimous recommendation of denial citing that the most appropriate board to consider such requests is the Board of Adjustment and further stating that Staff should not accept applications for the filling of wetlands in keeping with Comprehensive Plan policy 5.08.04; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on December 27, 2017.

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

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the amendments, attached hereto as Exhibit "A," amending LDC subsection 10.02.01(B), adding a new subsection 10.02.01(C), amending subsection 10.02.01(D)(8) to allow the City Commission to review and consider variance applications which would combine lots for properties located on the west side of North or South Fletcher Avenues and being within the Comprehensive Plan Objective 12.05 Job Opportunity Areas map (LDC Section 4.02.02), ~~and~~ adding a new subsection 10.02.01(D)(9) to prohibit the granting of a variance for filling wetlands [LDC Section 3.03.03(A) and Comprehensive Plan Policy 5.08.04], and adding a new subsection 10.02.01(D(10) to prohibit the granting of a variance for exceeding 35-foot maximum building height for properties within 800 feet of the mean high water mark of the Atlantic Ocean [LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1].

SECTION 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately upon adoption.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
JOHN A. MILLER
Mayor - Commissioner

ATTEST:

____
CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

____
TAMMI E. BACH
City Attorney

ORDINANCE 2018-01
EXHIBIT "A"

10.02.01 Generally

A. Within the Historic District Overlays and the CRA Overlay, the HDC may authorize a variance from the design and improvement standards of the LDC and may issue exceptions from the CRA design guidelines where the required findings of Section 10.02.00 are met.

B. The BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay, ~~or~~ the CRA Overlay, ~~filling of wetlands as covered in LDC Section 3.03.03(A),~~ or as limited by 10.02.01 (D), where the requirements of Section 10.02.00 are met.

C. The City Commission may take action to authorize a variance request ~~from LDC Section 3.03.03 (A) for the filling of wetlands or~~ from LDC Section 4.02.02 for properties which are contained within the Comprehensive Plan defined "Job Opportunity Areas", but only for properties located on the west side of North or South Fletcher Avenues in the "Job Opportunity Areas". The City Commission shall hear such variance requests in accordance with the provisions for variances as set forth in Chapter 10.

D. Limitations on the grant of a variance

1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
4. A variance shall not change the requirements for concurrency.
5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
7. A variance shall not be granted for procedure or process components of this Land Development Code.
8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue except as may be provided in LDC Section 10.02.01 (C) above.
9. A variance shall not be granted which authorizes the filling of wetlands prohibited by LDC Section 3.03.03(A) and Comprehensive Plan Policy 5.08.04.
10. No variance shall be granted to exceed the maximum building height of 35 feet for a building on any lot within 800 feet of the mean high water line of the Atlantic Ocean under LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1.

OFFICE USE ONLY

REC'D: ____________ BY: ____________

PAYMENT: $ N/A TYPE: ____________

APPLICATION #: ____________

CASE #: 2018-02

BOARD MEETING DATE: JANUARY 10, 2018

PLANNING ADVISORY BOARD APPLICATION

- ☐ ZONING MAP AMENDMENT (≤ 10 acres $850 / > 10acres $1,600)
- ☐ LAND USE MAP AMENDMENT (≤ 10 acres $850 / > 10acres $1,600)
- ☒ LDC TEXT AMENDMENT ($850)
- ☐ COMP PLAN AMENDMENT ($850)
- ☐ SUBDIVISION PLAT – PRELIM ($750)
- ☐ SUBDIVISION PLAT – FINAL ($850)
- ☐ VACATION OF R.O.W. ($850)
- ☐ VOLUNTARY ANNEXATION ($1050)

APPLICANT INFORMATION

Owner Name: City of Fernandina Beach

Mailing Address: 204 Ash Street

Telephone: 904-310-3135 Fax: ____________

Email: dmartin@fbfl.org

Agent Name: ____________

Mailing Address: ____________

Telephone: ____________ Fax: ____________

Email: ____________

PROPERTY INFORMATION

Street Address: ____________

Parcel Identification Number(s): ____________

Lot Number: ____________ Block Number: ____________ Subdivision: ____________

Section: ____________ Township: ____________ Range: ____________

PROJECT INFORMATION

Total Number of Lots/Parcels: ____________________

Less than One (1) acre Sq. Footage: ____________ One (1) Acre or Greater: ____________

Existing Zoning Classification: ____________________

Existing Future Land Use Classification: ____________________

Previous Planning/Zoning Approvals: ____________________

Description of Request:

Modifying LDC Section 10.02.01 as directed by the City Commission on December 5, 2017 to provide that variance requests for lot combinations on N. Fletcher or S. Fletcher Avenue within the Job Opportunity Areas and for wetland fill impacts to be heard by the City Commission.

10.02.01 Generally

A. Within the Historic District Overlays and the CRA Overlay, the HDC may authorize a variance from the design and improvement standards of the LDC and may issue exceptions from the CRA design guidelines where the required findings of Section 10.02.00 are met.

B. The BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay, ~~or~~ the CRA Overlay, filling of wetlands as covered in LDC Section 3.03.03(A), or as limited by 10.02.01 (D), where the requirements of Section 10.02.00 are met.

C. The City Commission may take action to authorize a variance request from LDC Section 3.03.03 (A) for the filling of wetlands or from LDC Section 4.02.02 for properties which are contained within the Comprehensive Plan defined "Job Opportunity Areas." The City Commission shall hear such variance requests in accordance with the provisions for variances as set forth in Chapter 10.

D. Limitations on the grant of a variance

1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
4. A variance shall not change the requirements for concurrency.
5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
7. A variance shall not be granted for procedure or process components of this Land Development Code.
8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue except as may be provided in LDC Section 10.02.01 (C.)

SIGNATURE/NOTARY

The undersigned state above information is true and correct as (s)he is inform believes.

1/5/18 Dale L Martin

Date Signature of Applicant

STATE OF FLORIDA }
ss
COUNTY OF NASSAU s the ed and

Subscribed and sworn to before me this ___ day of ____________, 20___.

Notary Public: Signature | Printed Name | My Commission Expires

Personally Known ________ OR Produced Identification ________ ID Produced: ________

PAB 2018-02
Commission Directed LDC Request

At its regular meeting on Tuesday, November 8, 2017, the City Commission directed that staff work to draft an amendment to the provisions for granting a variance to require applicant's seeking an amendment to LDC Section 4.02.02 and 3.03.03 (A) to be heard by the City Commission. The following language has been devised to meet the Commission's direction.

10.02.01 Generally

A. Within the Historic District Overlays and the CRA Overlay, the HDC may authorize a variance from the design and improvement standards of the LDC and may issue exceptions from the CRA design guidelines where the required findings of Section 10.02.00 are met.

B. The BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay, ~~or~~ the CRA Overlay, filling of wetlands as covered in LDC Section 3.03.03(A), or as limited by 10.02.01 (D), where the requirements of Section 10.02.00 are met.

C. The City Commission may take action to authorize a variance request from LDC Section 3.03.03 (A) for the filling of wetlands or from LDC Section 4.02.02 for properties which are contained within the Comprehensive Plan defined "Job Opportunity Areas." The City Commission shall hear such variance requests in accordance with the provisions for variances as set forth in Chapter 10.

D. Limitations on the grant of a variance
   1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
   2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
   3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
   4. A variance shall not change the requirements for concurrency.
   5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
   6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
   7. A variance shall not be granted for procedure or process components of this Land Development Code.
   8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue except as may be provided in LDC Section 10.02.01 (C.)

BACKGROUND AND HISTORY:

2012
Staff initiated LDC Text amendments to provide clarification on the standards for review and approval of a variance by the Board of Adjustment or the Historic District Council. As part of the process for consideration of the LDC Amendments, the Planning Advisory Board added proposed limitations on the granting of a variance which included LDC Section 10.02.01 (C)(8). The City Commission approved the LDC amendments in January 2013 under Ordinance 2012-28.

2013
Working in concert with Nassau County Economic Development Board, Nassau County Growth Management, and the Fernandina Beach – Yulee Chamber of Commerce, the City initiated a Comprehensive Plan amendment to include a new element for Economic Development. Within the new element (Goal 12) contains an Objective (12.05) regarding Land Use and Infrastructure Expansion. Within Objective 12.05 is policy statement 12.05.01 which identifies the City's Job Opportunity Areas within its jurisdiction by description and in map form. The City defines a "Job Opportunity Area" as "A geographical area or areas within the City that are established as or are emerging job-generating areas where necessary infrastructure exists sufficient to support conscious investments which promote job creation." **EXHIBIT A** is the map contained within the Comprehensive Plan to identify the City's Job Opportunity Areas.

2014
Staff identified a significant conflict between the City's Comprehensive Plan Objective 12.05 regarding Job Opportunity Areas and the limitations found within LDC Section 4.02.02 when coupled with LDC Section 10.02.01(C)(8). Together, these LDC Sections work to create a development pattern which is not consistent with this historic built pattern and character of commercial properties along North and South Fletcher and does not allow a property any avenue for recourse to deviate from the limitation of a 100 foot lot width. In recognition of this conflict, staff initiated an application to allow for lot combinations in excess of 100 feet for properties within the City's identified Job Opportunity Areas.

The requested action was reviewed under a staff initiated application in 2014. The Planning Advisory Board acknowledged that the restriction from the granting of a variance was intended to restrict residential lot combinations and issued a recommendation of approval at its regular meeting on September 10, 2014 in order to correct the conflicting language and to be consistent with the goals of the economic development element of the Comprehensive Plan. The requested amendments passed at the City Commission at 1st reading, but failed to get support from the City Commission at 2nd reading of the ordinance on November 18, 2014.

2016
A privately initiated application was prepared and submitted to the Planning Advisory Board for consideration (PAB 2016-06). The applicant's requested action consistent with the staff proposed amendments in 2014. The requested amendments were to provide an exemption for properties located within the City's defined Job Opportunity Areas as described in the Economic Development Element of the Comprehensive Plan.

The Planning Advisory Board considered this application at its regular meeting on March 9, 2016 and issued a recommendation of approval. This time, the proposed amendment failed the 1st Reading before the City Commission in a hearing held on April 19, 2016, despite an attempt to limit the allowance to only the west side of North or South Fletcher.

2017 (PRIVATELY INITIATED)
A privately initiated application was prepared and submitted to the Planning Advisory Board for consideration (PAB 2017-08). The proposed amendment requested to allow the Board of Adjustment to

consider a variance request exceeding the maximum 100 foot lot width for only those properties which are: located on the west side of North or South Fletcher; and contain a General Commercial (GC) Future Land Use Map category; and have a Community Commercial (C-1) Zoning Designation; and are within one of the City's Job Opportunity Areas as defined in the Comprehensive Plan Objective 12.05. The City Commission took final action to approve the applicant's request at 2nd reading on September 14, 2017 and at the same time directed that planning staff draft an amendment to LDC Section 10.02.01 to required that any variances sought to deviated from lot combination requirements along North and South Fletcher Avenue be reviewed by the City Commission, instead of the Board of Adjustment.

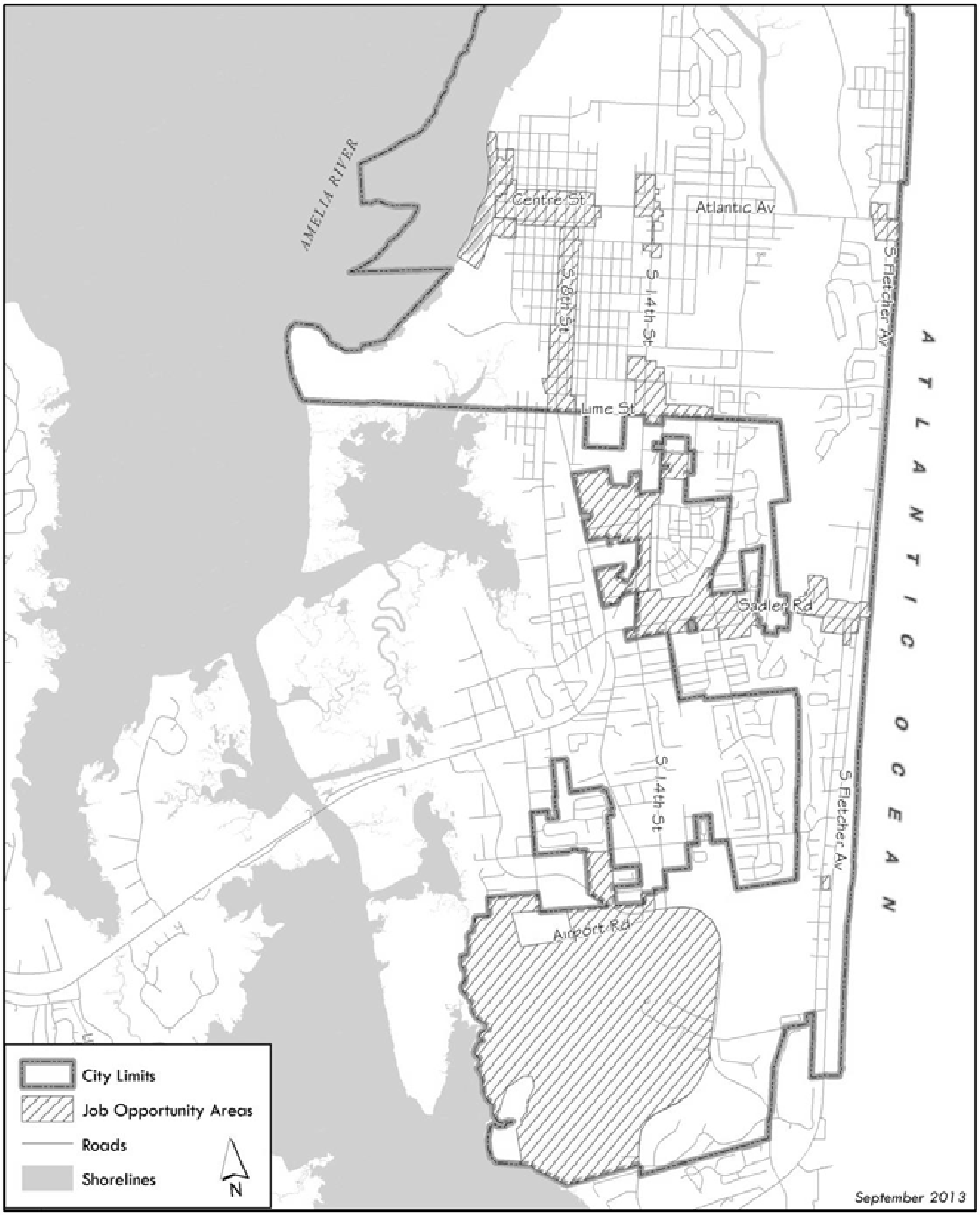
2017/2018 (CITY INITIATED)
Following the direction provided by the City Commission at its regular meeting on September 14, 2017, staff worked to prepare an application which directs variance requests for lot combination within the defined Job Opportunity areas to be heard by the City Commission (PAB 2017-13). The Planning Advisory Board recommended denial of the changes directed by the City Commission to remove variance consideration for the listed item by the Board of Adjustment (BOA). On November 8, 2017, the ordinance failed at 1st reading and concurrently the City Commission directed that staff generate an new text amendment to have all variance requests pertaining to both lot combination and the filling of wetlands heard by the City Commission. As directed, staff initiated the current draft amendment under a separate PAB Case 2018-02.

Staff continues to recommend that the most appropriate body to review and consider variance requests is the Board of Adjustment, with exception to those in the Historic District or CRA. The BOA is an appointed board whose members serve at the pleasure of the City Commission. This board conducts quasi-judicial proceedings to review variance requests and issue determinations of hardship as its sole responsibility. The BOA does not conduct in any legislative or political decision making and serves to provide an independent body of peers within the community.

In 2006, the City finalized a major revision to its Land Development Code. One of the primary objectives of the code revision effort was to remove procedures which previously created an environment of political and subjective decision making. In its place are specific and defined criteria by which land development activities can be approved as consistent with the community's values and standards. Property owners who find themselves with a specific hardship for their proposed development are afforded an opportunity to be heard by the BOA or the Historic District Council (HDC). The BOA and HDC are boards which are well versed in making determinations of hardship under the guidance of the City's criteria for granting a variance. Changes such as those under consideration not only serves to undermine the efforts of remove subjective decision making procedures, but it erodes the arduous work provided by prior volunteer bodies serving the City to improve processes which are equitably applied. Respectfully, staff recommends denial of the proposed amendments to remove variance review authority from the BOA.

EXHIBIT A

Job Opportunity Areas Map



DRAFT

1. Call to Order - The meeting was called to order at 5:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair	David Beal, Vice-Chair
Benjamin Morrison	Wayne L. Peterson
John Boylan	Donna Lewis (Alt 1)
Jenny Schaffer (Alt 2)	

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

2. New Business

2.1 PAB 2017-10 DUNES OF AMELIA PHASE II (FINAL PLAT)

Ms. Gibson presented the case through a staff report analysis for final approval of the Dunes of Amelia Phase II Final Plat with the request for the construction of 52 new single family homes. Ms. Gibson recommended approval.

No comments were made from the owner since he was not present.

Public Hearing was then opened and closed.

A motion was made by Member Beal, seconded by Member Morrison, to recommend approval of PAB case 2017-10 to the City Commission requesting that a Final Plat for Phase II of the Dunes of Amelia subdivision be approved and that PAB case 2017-10, as presented, is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays, being all ayes, carried.

2.2 PAB 2017-11 LAKESIDE RESERVE PRELIMINARY PLAT

Ms. Gibson first noted that the staff report was provided along with the application materials as part of the record. She then explained that this property was located off of Amelia Road just south of Simmons Road, east of the new assisted living facility site, and that this project was for the construction of 29 new single family homes. She also noted that this property will have shared entry and amenities with the Aspire site. Ms. Gibson then noted that this was consistent with the City's Comprehensive Plan and the Land Development Code and recommended approval of case 2017-11.

Chair Bennett asked if that area of Simmons Road will be opened. Ms. Gibson mentioned that there will be a trail late spring of next year.

Nick Gillette, Gillette & Associates, 20 S. 4th Street, added that there will be a connection between Phase I and Phase II; Phase I being the Aspire living commercial facility and Phase II being this residential project. He then mentioned that the connected access would only allow access from Phase II to Phase I with a gated connection; and that the commercial element won't be able to go onto Amelia Road but that Amelia Road will be able to go to the Parkway through the commercial element. He mentioned that there will be a gate from Amelia Road to make it private and secured.

Public Hearing was then opened.

Lauree Hemke, 751 Barrington Drive, representing her husband along with their neighborhood's HOA. She expressed that they have had concerns about this property especially about the zoning density which was approved. She also mentioned that they raised concerns about the Aspire property regarding the initial constructions issues with tree removal and the wetlands. She mentioned that they contacted the City, the County and St. John's Water Management, and that only St. John's addressed the issues with the contractor. She also mentioned the issues regarding the draining of the lake into the right-of-way which impacted their neighborhood's retention pond which in turn was damaged and also the dumping of trees. She noted that the damages to the retention pond were paid for along with some of the removal fees for the trees. She commented that St. John's requested that she contact the City and the County about repairs regarding the drainage issues on Amelia Road and Amelia Parkway. She added that she wrote and called both offices and had yet to receive a call back from either. In addition, Mrs. Hemke voiced some concerns about the buffer. She mentioned that the information given by City Staff differed in three separate inquiries. She also commented that she was told by a City employee that since the property was located both in the County's and City's jurisdiction, that different building codes could be used. She also commented about the noise. She then noted that although they are willing to continue working with the County, the City and St. John's Water Management and the Aspire Development, she feels the relationship is disingenuous and that there are trust issues with written documents of the current proposal.

Michael Waskew, 3105 Aja Court, located in the Barrington subdivision, thanked Mrs. Hemke for her comments. He then commented on the contractor's actions regarding draining water into their subdivision's pond and wetlands which destroyed some growth to their pond. Mr. Waskew commented that this Board has the responsibility of making sure approved projects are overseen and managed properly. He then addressed concerns with the buffer and the building of the cul-de-sac right next to the buffer line and the impact on drainage and tree preservation. Mr. Waskew asked about the existing house on lot 29 and parcel D shown on the plat and what was planned for that parcel.

Ms. Gibson addressed the comments about the buffer and stated that there are no buffer requirements between the Barrington subdivision and the new subdivision so any buffer is acceptable.

Mary Libby, 616 Spanish Way East, commented that the main reason she purchased her property was for the views of the pond and wooded areas surrounding it along with all the wildlife and she ten commented that she was pretty distraught by the changes and removal of the buffer and the impact on the maritime forest.

Chair Bennett then commented that most concerns brought forth were really for the Aspire project which was not the case currently being presented except for the questions regarding lot 29 and the existing house.

Carol Miller, 677 King George Way, residing in Isle the May just like Mrs. Libby who commented previously, voiced that change is to be expected but asked if there were plans to replace trees that have been removed. She also asked about the cottages' relationship with the retirement community.

Ms. Gibson answered that there is a replanting program and strategy for the areas of Aspire Amelia and the cottages sites and a PDF file is available for review. She further explained that the current application being reviewed is within a residential low medium zoning district and would be adjoining the Barrington subdivision which is in a R1 residential district and that in that area there are no buffer requirement between the two. She also mentioned that the property located in the City's jurisdiction and the development site for the structures tied to Aspire were regulated by the City and a portion of the storm water pond is located in the Nassau County jurisdiction and that there was a joint effort with Nassau County, the City, the St. Johns Water Management, the developers, and the engineers to make sure that everything was consistent with both regulations and created a restoration and revegetation plan for the storm water ponds to be created around that facility.

Member Morrison asked about the buffer requirement being handled on the C2 side.

Katrina Robinson-Wheeler, 701 S. 13th Street, asked about a different case and would speak at a later time.

Lauree Hemke, 751 Barrington Drive, commented about a lack of communication regarding the buffer issue. She also mentioned that after meeting with Staff on several occasions she was disturbed to hear that Staff expressed that she was looking forward to see the area being developed which Ms. Hemke interpreted as Staff recruiting development as opposed to what the citizens want. She then commented on the relationship and communication level between the City and Isle the Mai versus the Barrington subdivision and the involvement of the Aspire developer in addressing similar issues.

Public Hearing was then closed.

Nick Gillette, Gillette & Associates, first complimented Staff for their work and the City asked them to replant the entire buffer and replant more vegetation that was there originally. He also mentioned that there would be a pond created and trees planting would separate it from the Barrington pond. He talked about storm water codes being in place and also mentioned that there would be a transitional area between the buffer and the cul-de-sac and noted that Staff asked them to do some replanting in that area and that tree replacement will be done according to City code. He mentioned that ditches would be piped for drainage along Amelia Road to avoid impact to the Barrington subdivision. Mr. Gillette mentioned that the house on lot 29 is slated to be put on the market and that tract D would be a pond.

Member Peterson asked about tree replacement and an estimated count. Mr. Gillette answered that this was under review now and he estimated the count to be about 40 to 50 trees.

Bruce Jazinsky, Broker, explained that there were currently no plans to subdivide lot 29 and that the house located on site was currently occupied and would be put on the market.

Member Morrison commented that he sympathized with the neighboring residents and felt that with time the process would improve.

Member Schaffer asked that all parties continue to be aware of tree preservation during the construction stage.

A motion was made by Member Morrison, seconded by Member Beal, to recommend approval of PAB case 2017-11 to the City Commission requesting that a Preliminary Plat for Phase II of the Aspire at Amelia complex be approved and that PAB case 2017-11, as presented, is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays being all ayes, carried.

2.3 PAB 2017-12 PLANNED UNIT DEVELOPMENT (PUD) REQUEST FOR HICKORY RIDGE

Ms. Gibson first noted that the staff report was provided along with the application materials as part of the record. Ms. Gibson presented the case according to the staff report analysis. Ms. Gibson then noted that this was consistent with the City's Comprehensive Plan and the Land Development Code and recommended approval of case PAB 2017-12.

Member Morrison asked for the meaning of the term "work force housing". Ms. Gibson mentioned that this wasn't defined by state statute but that the Comprehensive Plan did define terms for "affordable housing" such as Low, Medium, and Very Low.

Nick Gillette, Gillette & Associates, 20 S. 4th Street, addressed Member Schaffer's concern regarding tree preservation. He commented on "affordable housing" which is defined as rentals and that this project is for sales of properties. He then explained the positive value of this project as potential buyers would be located in the middle of the island close to 3 schools and could work downtown. He also mentioned that with smaller lots and low infrastructure cost, using existing roads, and higher tree retention, this project was more exciting that the traditional subdivision.

Member Beal asked about the open area being natural or park like. Mr. Gillette mentioned that the tree loss would be less than 10% with grading between trees. The water drainage would be piped into an inlet. He also commented on the limited footprint of the main structure being 1100SF and a detached garage being 280SF, with a maximum total footprint of approximately 1400SF.

Member Lewis voiced some concerns regarding the final product's resale value and asked if a deed restriction was planned. Mr. Gillette mentioned that there would be no deed restriction on resale valuation.

Member Peterson asked about water drainage on Fir Street since that area floods. Mr. Gillette explained that the connection would be done through the inlet and the pipe system on Fir Street. He also explained that the ponds that would be created should solve the current flooding issues experienced in the Fir Street and S. 12th Street area.

Member Morrison asked Staff about the "work force" concept and if this played in the decision to be granted for this case. Ms. Gibson answered that there are no obligations and no special conditions granted to this project to target specific demographics. Member Morrison commented on the homes backing out to the street. Mr. Gillette noted that the wide right of way will give them the ability to landscape and increase planting.

Member Schaffer asked for the width of the lots and Mr. Gillette answered that they were 36 feet wide.

Public Hearing was then opened.

Lynn Williams, 1899 S. Fletcher Avenue, commented that the project being labelled as affordable housing aimed at the work force was not being realistic because older buyer and retirees would show a lot of interest in this product.

Betsy Huben, 4615 Philips Manor Place, mentioned that she is on the Nassau County Advisory Committee considering affordable housing. She noted that her 2 daughters and her son were considered work force and voiced a concern about not nailing down the definition of affordable housing. She asked about the location of the garage on the property that runs along S. 13th Street since she purchased 5 properties on S. 13th Street between Fir Street and Gum Street and had concerns about front view of her properties facing the garages.

Thomas Morris, residing on 12th & Fir Street, voiced that this was a good project but that an effort should be made for making the island affordable to all. He also mentioned his concerns about drainage for this project and asked that proper drainage be installed.

Crystal Mack, 1232 Hickory Street, asked about the location of the entrances and exits and the price range. She also commented that adding 41 new homes would create traffic and congestion.

Katrina Robinson-Wheeler, 701 S. 13th Street, had concerns about drainage. She also asked about entrances and exits which would increate traffic. She asked if this project would be gated, and also spoke about tree removal and buffers. She then commented on affordable housing and its costs, timeframe of the development with its noise and construction.

Rick Wheeler, 701 S. 13th Street, asked about the size of the homes and the buffers.

Steve Buser, 1216 Fir Street, asked about design control such as limitation to one or two stories and if there would be a HOA. He also commented about the drainage issue in the area.

Nick Gillette, 20 S. 4th Street, commented that this project offered a maximum building footprint along with a 40% open space. He also addressed the garage size and carport element. He then commented on the term affordable housing and its threshold and possible available financial opportunities. Mr. Gillette addressed the accesses and traffic concerns and noted that there would be 2 alley ways with 2 connections that would be road connections both at 13th Street, and that some driveways will be off of Fir Street, Hickory Street and S. 13th Street. He also explained the drainage system on S. 13th Street. Mr. Gillette did confirm that there would be an HOA with restrictions and that only 1 or 2 stories design would be allowed. He mentioned that 25FT height would be the design standard with a maximum of 30FT high. He added that sidewalks would be installed outside the perimeter of the project and that typical home would be 26FT wide with a maximum depth of 50FT. He also mentioned that duplexes would be located in areas where duplexes already exist and would mirror the same size as the single family with two being attached. He then talked about the estimated timeframe with the horizontal aspect starting on the 1st or 2nd quarter of 2018 and 1st building product in the 3rd quarter of 2018. He ended by addressing the location of the buffers.

Member Peterson voiced his support for the project.

Member Morrison noted that Nick Gillette and Staff should be commented for the approach taken in regards to attention to the neighborhood, open spaces and tree preservation.

Member Lewis voiced her support for this project.

Member Peterson commented that Gillette & Associates have been very accessible and helpful with any questions during the process.

Member Schaffer asked about the maintained area under the HOA's responsibility and the potential HOA fees. Mr. Gillette answered that due to the small amount of common area the fees should be fairly low probably under $100 per month.

A motion was made by Member Morrison, seconded by Member Peterson, to recommend approval of PAB case 2017-12 to the City Commission requesting that a zoning change to allow a Planned Unit Development overlay be approved and that PAB case 2017-12, as presented, is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays being all ayes, carried.

2.4 PAB 2017-13 LAND DEVELOPMENT CODE TEXT AMENDMENT (VARIANCES)

Ms. Gibson presented the City initiated text amendment to address a Commission directed code amendment to bring to the Commission the right of approval for granting a variance for lot combination within the Ocean Avenue, North Fletcher, South Fletcher areas within the Job Opportunity Areas. She noted that at the mid-September meeting Staff moved forward with presenting the Planning Board a code amendment that would shift the reviewing body from the BOA to the City Commission for reviewing variances seeking to combine lots in excess of 100FT within commercially zoned properties along North and South Fletcher and look at the criteria for the granting of a variance and the hardship criteria tied to the granting of the variance and if appropriate, render an approval.

Member Bennett commented that he doesn't think this is a good idea as he felt it would politicize the decisions. Member Morrison and Member Beal concurred and commented to this had already been attempted on a few occasions and rejected by the City Commission.

Public Hearing was then opened.

Lynn Williams, 1899 S. Fletcher Avenue, commented and agreed that the City Commission having the authority to approve variances in the Job Opportunity Area will politicize the decisions.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Beal, to recommend to the City Commission that the City Commission gives the Board of Adjustment the authority to hear variances within the Job Opportunity Area. Vote upon passage of the motion was taken by ayes and nays being all ayes, carried.

3. Board Business –

Chair Bennett welcomed new voting member John Boylan.

4. Staff Report

4.1 **9TH STREET CORRIDOR STUDY FOR CONTEXT SENSITIVE COMPLETE STREET** – Staff briefing of the Transportation Planning Organization (TPO) funding the 9th Street corridor study.

Ms. Gibson explained that this is a follow up to the 8th Street efforts to do Land Use and Zoning Amendments that was completed last October and for 9th Street to be used as a parallel corridor to direct pedestrian and bike improvements, this in a safer manner than using 8th Street. She explained that she worked with Nassau County and was successful in finding a funding source for a corridor study for 9th Street. She added that the study would be for 9th Street from Lime Street to Atlantic Avenue with outreach efforts and community input efforts tied to the work done by the consultant; this being started beginning of the New Year. She also talked about securing community advocates within the area along with users as they would be instrumental in pushing out information during outreach events.

Member Lewis commented of a similar study done where she used to live and thought it was great. Ms. Gibson explained that she will provide the consultant data and resources in the form of lists of people who need to be kept in loop and ones that were contacted initially which would help the process since the consultant would be doing the heavy lifting. She also noted that meetings will be located locally at the Peck Center and that this process should start in January 2018. Member Peterson commented that this is a touchy subject for residents of that area, he asked that as many residents of 9th Street be informed of the project ahead of time. Ms. Gibson then mentioned that she would initiate mail outs and welcomed any input in order to make sure that as many people are informed.

Chair Bennett asked that Mr. Peterson clarifies what was the “touchy subject” about. Member Peterson explained he has received phone calls and that rumors were circulating about plans to make 9th Street more commercial.

A discussions ensued about the new buildings erected recently and Ms. Gibson mentioned that currently there were no design requirements for 8th Street except for the pedestrian landscape area and driveway access, nor are there any design requirements for 9th Street. She also mentioned that the recent zoning change has had no impact on these recent projects since these would have been allowed before the change.

Member Schaffer asked about setbacks for property zoned mixed use and if they were similar to C3. Ms. Gibson said they were very much like C3 except when fronting 8th Street and when abutting R2 zoning. Then she also mentioned that the height goes from 45FT to 35FT.

Member Beal asked about the usage for the property where BuyGo is located. Ms. Gibson noted that this is a C3 zoned property not mixed use.

Chair Bennett asked if there should be a design council for the 8th Street and 9th Street corridor. Member Morrison commented that he felt that this was not a good idea.

Ms. Gibson announced that since November 8th is Election Day, the next PAB meeting would be held on Tuesday, November 7th, 2017. City Attorney Bach also mentioned that she would not be present at the November meeting.

5. Comments by the public – There were no comments from the public at this time.

DRAFT

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:06 pm.

___________________________________ ________________________________

Secretary **Mark Bennett, Chair**

The City Commission of the City of Fernandina Beach, Florida, met in a Regular Meeting on Tuesday, November 8, 2017 at 6:00 pm in the City Commission Chambers. Present were Mayor Robin Lentz presiding, Vice Mayor Kreger, Commissioners John A. Miller, Tim Poynter, and Roy G. Smith. 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 Baptist Medical Center Nassau Senior Chaplain Reverend James Tippins.

4.1 PROCLAMATION - NATIONAL AMERICAN INDIAN HERITAGE MONTH: Mayor Lentz read the Proclamation in full proclaiming the month of November, 2017, as “National American Indian Heritage Month”. Dr. Nadine D'Ardenne, American Indian Representative, was present to accept the Proclamation. Dr. D'Ardenne offered her thanks and noted being finally at a place in this country where it is known what native America Indians have experienced.

4.2 PROCLAMATION - TREES FOR AMERICA'S TROOPS, INC.: Mayor Lentz read the Proclamation in full recognizing Trees for America's Troops, Inc. for providing United States military servicemen and servicewomen on deployment with decorated Christmas trees and essential items to help them overcome the drudgery and hardships of faraway duty. Trees for America's Troops, Inc. President Ms. Judi Brown-Mixon and Mr. Brown were in attendance to accept the proclamation and spoke to her great-nephew, Kelly Mixon, who graduated from Fernandina Beach High School, attended FL State and decided to follow in his Father’s military footsteps only to be slain in the line of duty days before his 24th birthday. Dedicated community support with ongoing fundraisers makes for successful, well received donations to the troops in honor of Mr. Mixon’s sacrifice.

4.3 PROCLAMATION - PÉTANQUE AMELIA ISLAND OPEN: Mayor Lentz read the Proclamation in full recognizing the 8th Annual Pétanque Amelia Island Open and the tournament's founder, Mr. Philippe Boets, the Official Ambassador of the Pétanque Amelia Island Open. Mr. Boets was in attendance to accept the proclamation and shared the credit for the help and assistance noting “sometimes the best captains are on shore”.

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

WETLANDS: Mr. Lynn Williams, 1899 S. Fletcher Avenue, as a member of the Board of Adjustment (BOA), although not speaking for the BOA, is in support of changing the rules somewhat however filling wetlands cannot be considered for a variance. Showing a presentation which included language from the Comprehensive Plan that clearly states wetlands cannot be filled and the state of Florida law concurs and deems any structure built on wetlands can be razed if in violation. A suggestion would be to offer workshops on variances and making the law clear in an effort to avoid legal issues and costs.

ELECTION RESULT OBSERVATION: Mr. Leslie Rohde, 645 King George Lane, is a marketer whose job is to understand what people want. Mr. Rohde most recently worked on prospective candidate Mr. Medardo Monzon's unsuccessful campaign. Observations from this year's election included a 50% increase in mail in votes with a 30% voter turnout resulting in the defeat in Group 2 of the longest sitting Commissioner losing to a relatively unknown newcomer. In Group 3 there were three candidates with the most moderate candidate finishing at the bottom with two controversial candidates vying in a runoff to be determined on December 12th. The seemingly much ignored marina and questionable airport terminal building construction may be two reasons for the vote results. The two tenured commission member's departures will be marred by two widely held perceptions, one the failure to restore the marina and two, a "dereliction of duty" to go forward with the airport terminal building construction contrary to public opposition. Mr. Rohde offered his assistance to the remaining commission members as the same "perceived crimes" may surface next year and be their unseating.

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

6.1 RESOLUTION 2017-167 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: According to the agenda support documents Resolution 2017-167 declares certain property as surplus, and authorizes the disposal of such. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-167. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.2 RESOLUTION 2017-168 APPROVING THREE ADDITIONAL APPLICATIONS FOR CITY SEWER, REFUSE, AND STORMWATER EXEMPTION FOR FISCAL YEAR 2017/2018: According to the agenda support documents Resolution 2017-168 approves three additional applications for exemption of payment for City Sewer, Refuse, and Stormwater costs for the months of October 1, 2017, through September 30, 2018. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-168. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried**.

6.3 RESOLUTION 2017-169 AWARDING RFP# 17-03 FOR DISASTER PUBLIC ASSISTANCE SERVICES TO WITT O'BRIEN'S, LLC; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SAME: According to the agenda support documents Resolution 2017-169 Awards RFP #17-03 for the City's disaster public assistance services to Witt O'Brien's, LLC. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-169. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.4 RESOLUTION 2017-170 APPROVING THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION: According to the agenda support documents Resolution 2017-170 approves the Utility Work by Highway Contractor Agreement between the City of Fernandina Beach and the Florida Department of Transportation (FDOT). Also authorizes the City Manager to bind the City for deeds, easements, agreements, licenses, permits and other agreements related to any services, facilities or usage of properties and rights-of-way owned by the FDOT costing no more than $20,000**. A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-170. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.5 RESOLUTION 2017-171 APPROVING FINAL PLAT, PAB CASE 2017-10 TITLED "DUNES OF AMELIA, PHASE TWO": According to the agenda support documents Resolution 2017-171 accept and approves the plat titled "Dunes of Amelia, Phase Two" as a final plat. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-171. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried**.

6.6 RESOLUTION 2017-172 APPROVING PRELIMINARY PLAT, PAB CASE 2017-11 TITLED "LAKESIDE RESERVE": According to the agenda support documents Resolution 2017-172 accepts and approves the plat titled "Lakeside Reserve" as a preliminary plat.**A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-172. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.7 RESOLUTION 2017-173 APPROVING AMENDMENTS TO THE POLICE, FIRE, STREETS, PARKS & RECREATION, GOLF, WASTEWATER, WATER, AND FLEET BUDGETS IN FY 2016/2017: According to the agenda support documents Resolution 2017-173 approves transfers within respective Departments/Funds for FY 2016/2017. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-173. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.1 RESOLUTION 2017-174 APPROVING A MASTER SERVICES AGREEMENT WITH COMCAST ENTERPRISE SERVICES TO PROVIDE A MANAGED METRO-ETHERNET WIDE AREA NETWORK SOLUTION: According to the agenda support documents Resolution 2017-174 approves the Comcast Enterprise Services Master Services Agreement, the First Amendment to the agreement, and the Renewal Service Order. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-174. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.2 RESOLUTION 2017-175 APPROVING THE PURCHASE OF TWO SERVERS AND A STORAGE DEVICE FROM DELL, INC.; AUTHORIZING EXECUTION: According to the agenda support documents Resolution 2017-175 approves the purchase of two servers and a storage device from Dell, Inc. and the purchasing agreement. **A motion was made by Commissioner Poynter, seconded by Commissioner Smith to approve Resolution 2017-175. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried**.

7.3 RESOLUTION 2017-176 APPROVING AMENDMENTS TO THE GOLF COURSE AND AIRPORT FUNDS IN FISCAL YEAR 2017/2018 FOR TWO PROJECTS CARRIED OVER FROM FISCAL YEAR 2016/2017: According to the agenda support documents Resolution 2017-176 approves a transfer of $35,600 to the Golf Repairs/Maintenance Grounds account from the Golf Reserve account and a transfer of $202,850 to the Airport Repairs/Maintenance Building and Grounds account from the Airport Reserve account. **A motion was made by Commissioner Miller, seconded by Commissioner Poynter to approve Resolution 2017-176.** Mr. C.N. Corbett, 106 N. 15th Street, asked if the $202,000 was coming out of the airport fund and how much money would be left over. City Manager Martin believed the money to be coming from the insurance proceeds of $80,000 and $24,000 from the airport enterprise fund and the additional $100,000 will transfer from the airport reserve account leaving approximately $200,000. Finance Comptroller Patti Clifford commented the project was slated to be finished by the end of the last fiscal year leaving reserves higher than anticipated and is just being carried forward into this year leaving the same amount of reserves. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

<u>7.4 RESOLUTION 2017-177 AUTHORIZING A GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) TO ACCEPT $500,000 AWARD FOR NORTH FLETCHER DRAINAGE IMPROVEMENTS – NORTH DOWNTOWN DRAINAGE IMPROVEMENTS – AREA 5:</u> According to the agenda support documents Resolution 2017-177 authorizes the City to enter into Agreement No. LP45011 with FDEP in the amount of $500,000 for the North Fletcher Drainage Basin Project. Vice Mayor Kreger commented this grant is from the state of Florida and is non matching following the $900,000 from last year along with a $271,000 cost share from St. John’s River Water Management District, this funding has significantly reduced the stormwater problem, an issue all the candidates support. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-177. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

<u>7.5 RESOLUTION 2017-178 AUTHORIZING A COST-SHARE AGREEMENT WITH ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) TO ACCEPT $251,283 TO UPGRADE EXISTING DRAINAGE IN AREA 1 (NORTH 15TH STREET AREA):</u> According to the agenda support documents Resolution 2017-178 authorizes the City to enter into a cost-share agreement with SJRWMD to accept an award of $251,283 for the construction improvements to the Area 1 drainage system. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-178. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

<u>7.6 RESOLUTION 2017-179 REQUESTING AN EASEMENT TO BE GRANTED FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE AREA BY FT. CLINCH STATE PARK PROPERTY FOR MAINTENANCE OF EXISTING DRAINAGE DITCH:</u> According to the agenda support documents Resolution 2017-179 authorizes the City to request a maintenance easement along the existing ditch from the FDEP. Stormwater Manager Andre Desilet noted in 2014 this easement was originally requested as part of the N. Fletcher drainage improvements using the $900,000 state grant. There were some obstacles regarding permitting through the FDEP and stormwater was rerouted to the south. During the recent hurricane there was significant flooding on the north end, the only drainage is an abandoned mosquito control ditch that crosses Ft. Clinch State Park property however the ditch is not maintained by the park. The current proposal offers to acquire the ditch, lower the

maintenance impact, and alleviate concerns raised during the original easement process. Vice Mayor Kreger interjected a cost share was requested from SJRWD and Stormwater Manager Desilet crafted a local mitigation strategy and once it is identified it will be done. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Resolution 2017-179. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.7 RESOLUTION 2017-180 DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF DEBT FOR EXPENSES TO BE INCURRED WITH RESPECT TO A CERTAIN PROJECT; AUTHORIZING CERTAIN INCIDENTAL ACTIONS: According to the agenda support documents Resolution 2017-180 approves reimbursement to the City from a future debt issue for costs related to the General Aviation Terminal project incurred before the debt is issued. **A motion was made by Commissioner Miller, seconded by Commissioner Poynter to approve Resolution 2017-180.** Mr. C.N. Corbett, 106 N. 15th Street, inquired as to where the money would be borrowed from and how it would be repaid. City Manager Dale Martin explained the City will borrow $1 million dollars and preparations are taking place to go out for bid. Finance Comptroller Patti Clifford explained this is a reimbursement resolution, not the resolution that will be presented when the debt is issued. The advertisement for the bid will be placed in Friday's newspaper to borrow $1 million dollars and $450,000 refinancing, which is included in the budget. The current resolution is to spend the money now and repay (the City) with the proceeds from the borrowed money. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.8 RESOLUTION 2017-181 APPROVING TASK ORDER #2017-02 WITH OLSEN ASSOCIATES, INC. FOR THE NASSAU COUNTY SHORE PROTECTION PROJECT: According to the agenda support documents Resolution 2017-181 approves Task Order #2017-02 with Olsen Associates, Inc. for Coastal Engineering Services for Beach Management. Vice Mayor Kreger noted on November 17th the U.S. Army Corps of Engineers will issue a purchase order/construction contract for $35 million dollars to renourish the beach, the City portion; $800,000 was paid by the Tourist District Council and the Municipal Service Taxing Unit (MSTU) which was established two years ago, it is the best beach renourishment in the US and approval is highly recommended. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-181. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.9 RESOLUTION 2017-182 APPROVING TASK ORDER #2017-03 WITH OLSEN ASSOCIATES, INC. FOR THE NASSAU COUNTY SHORE PROTECTION ALTERNATE RENOURISHMENT PROJECT: According to the agenda support documents Resolution 2017-182 approves Task Order#2017-03 with Olsen Associates, Inc. for coastal engineering services for the Alternate Renourishment Project. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger to approve Resolution 2017-182. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.10 RESOLUTION 2017-183 ACCEPTING THE RECOMMENDATION OF THE RFQ #17-03 EVALUATION COMMITTEE TO ENTER INTO AN AGREEMENT BETWEEN BROCKINGTON AND ASSOCIATES, INC. AND THE CITY OF FERNANDINA BEACH

FOR THE CREATION OF A HISTORIC RESOURCES SURVEY UPDATE FOR THE DOWNTOWN AND OLD TOWN HISTORIC DISTRICTS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT: According to the agenda support documents Resolution 2017-183 awards RFQ #17-03 to Brockington and Associates, Inc. for the Historic Resources Survey Update. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller to approve Resolution 2017-183. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.11 RESOLUTION 2017-184 APPROVING THE CONSTRUCTION AND FINANCIAL AGREEMENT WITH EIGHT FLAGS AVIATION, LLC FOR FINANCIAL CONTRIBUTION TOWARD DESIGN AND CONSTRUCTION OF THE AIRPORT TERMINAL; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PUBLIC RAMP APRON MANAGEMENT AGREEMENT; APPROVING CHANGE ORDER 1 WITH F&G CONSTRUCTION: According to the agenda support documents Resolution 2017-184 approves the Construction and Financial agreement between Eight Flags Aviation, LLC and the City of Fernandina Beach. Authorizes the City Manager to negotiate and execute a public ramp apron management agreement with Eight Flags Aviation, LLC and authorizes the City Manager to execute Change Order 1 with F&G Construction, not to exceed the original award amount, for the addition of a nose and tail section to the Airport Terminal.

Airport Manager Mr. Nathan Coyle gave a presentation outlining the airport terminal project. Beginning with the timeline of the Fixed Base Operator (FBO) selection through the airport terminal facility background including the committee selections, the Corsair terminal building design approved by the City Commission via Resolution 2017-10 and the notice to proceed in the amount of $4.395M, awarding the bid to F&G Construction. At the time of bid award the nose, tail, generator and a few other costs deemed not necessary resulted in a cost reduction to $4.09M. The project funding includes; Federal Aviation Administration (FAA) $356,355, FDOT $1,644,797.50, and Florida Department of Economic Opportunity (FDEO) $819,590 (second phase eligible when first phase is fully drawn). Passero & Associates Project Manager Mr. Mike Cornell stated he anticipates a thirty day turnaround upon completion of phase one, airport fund balance $751,028, airport bond financing $1M (not yet in place) and Eight Flags Aviation $337,500. Eight Flags Aviation is the FBO and as of 2015 has a twenty year lease with two five year renewals at a ground lease rate of $.20 per square foot. The City maintains a non-exclusive public parking apron cost sharing with the FBO who manages the apron. There is a provision to develop a separate construction and financial agreement for Eight Flags Aviation's contribution to the terminal building project in exchange for rent credits. Commissioner Smith clarified the $337,500 from Eight Flags Aviation is a repayment loan through rent credits.

Commissioner Miller questioned if there was a disagreement regarding apron usage who would mediate. Mr. Coyle responded it would still maintain its status as a public apron and the FBO would manage it for the City. Eight Flags Aviation had submitted capital projects to provide future contributions at 0% interest loans to the cities. Financial projections are currently estimates as information changes, repayment could be within a six year window with a 50/50 rent credit. The new terminal building will have an office rental rate of $10 per square foot;

Eight Flags Aviation has requested a favorable and equitable lease rate with the City providing temporary (trailer) space by March 1 for $2000 per month until the terminal building is completed. City Attorney Bach clarified the new FBO will not be selling fuel or providing services until April 1 or later.

Commissioner Smith asked about a completion date and if there was a liquidator clause damage in the contract. Mr. Coyle responded that although the contract notes substantial completion as of April 1, 2018 current construction and ordering could delay completion until July 2018. Mr. Mike Cornell stated April 1 is the contracted date but due to conflict with the current FBO the target completion date will likely not be met.

Mr. Coyle explained a piece that needs to be completed in the leasehold is due to a drainage improvement issue and the location of the facility. Mr. Coyle further surmised the revenue stream may change moving forward and gave current estimates and noted there is a current change order for the nose and tail for City Commission approval.

Mr. Brian Echard, 5007 First Coast Highway, owner of Eight Flags Aviation, explained up to $500,000 is going to be building improvements. Vice Mayor Kreger clarified the $500,000 is real property owned by the City. Mr. Coyle further expounded there is a Corsair replica to be hung from the ceiling and finish upgrades that will remain with the facility.

Commissioner Smith mentioned that along with having a finance background as well as being a taxpayer is disappointed because it is taxpayer money being spent as federal grants come from federal taxes. There is also disappointment with the contractor's overhead and profit at 4.56% is crazy, the numbers work out evenly which does not make sense. Commissioner Smith also asked for a definition of PBC. Mr. Cornell explained PBC is a batten system that was an option proposed by F&G Construction; PBC is a better seaming metal, less expensive, lasts as long and has been around since the 1960's. Commissioner Smith asked why PBC was not originally included. Mr. Cornell noted he is not the designer but the project manager.

Mr. C.N. Corbett, N. 15th Street asked how much money would come from Eight Flags Aviation/Mr. Echard. Airport Manager Coyle responded the total loan is for $337,500 at 0% interest. City Attorney Bach clarified all of the money is not coming from Eight Flags Aviation up front, as there are phases. The first phase will be the $337,500 and if the change order is approved it will contribute directly to the airport terminal buildings nose and tail purchase and installation. In the future the city is expecting grant monies for fuel farm upgrades, ramp apron improvement, bulk hangar construction and other improvements that Eight Flags Aviation will put money towards in rent credits.

Mr. Sean McGill, 650 Airport Road, current FBO owner (McGill Aviation) complimented Airport Manager Nathan Coyle as a great person and a pleasure to work with at the airport. Clarifying a line in the agreement which states Eight Flags Aviation is not obligated to do the projects it does obligate the City to work exclusively with Eight Flags Aviation on those projects, with a ten year non-compete clause and reimbursement for cancellation. As a one sided document it is interesting that Eight Flags Aviation was obligated to contribute a nose and tail that had not been designed as yet in the request for proposal. Vice Mayor Kreger stated the nose and tail were included in the design and is an integral part of the terminal and are needed. Commissioner Miller agreed, reiterating the building was approved by the Commission and it would be a bad idea to remove the nose and tail. City Attorney Bach provided clarification that Eight Flags Aviation will not be able to walk away from their financial obligation. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller to approve Resolution 2017-184.** Commissioner Smith further stated his displeasure for the airport terminal design; specifically the nose and tail sections. **Vote upon passage of the motion was taken by ayes and nays as follows:**

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

Motion carried.

8.1 ORDINANCE 2017-24 AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 (B) AND (C)(8) LIMITATIONS ON THE GRANTING OF A VARIANCE: According to the agenda support documents Ordinance 2017-24 amends the Land Development Code specific to variances. City Attorney Bach read Ordinance 2017-24 by title only, which was as follows: "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OFFERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 (B) AND (C)(8) LIMITATIONS ON THE GRANTING OF A VARIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE." City Attorney Bach explained this is a proposed LDC amendment that would have lot combination variances appear before the City Commission for a quasi-judicial hearing instead of the Board of Adjustment.

Mr. Lynn Williams, 1899 S. Fletcher Avenue, a member of the BOA, explained many with whom he has talked are opposed to taking this kind of responsibility away from the BOA and putting it into a totally political group such as the City Commission. Among those opposing this are the five members that each of the City Commissioners appointed to the Planning Advisory Board (PAB) and they voted unanimously against what the City Commission is now proposing to do. Mr. Williams believes this is a bad idea and encouraged the City Commissioners to read the fourteen page document prepared by City Attorney Bach which speaks to the responsibilities associated with the proposed changes. **A motion was made by Commissioner Miller, seconded by Vice Mayor Kreger to approve Ordinance 2017-24 with the following amendments; the City Commission has secondary oversight on BOA decisions regarding filling wetlands and lot combination and the variance application fee shall be increased from $650 to $2000.** City Attorney Bach stated these conditions make things really complicated; the BOA historically, here and across the state of Florida, is really a board that holds quasi-judicial hearings and considers variance requests. To have the BOA now make *recommendations* changes the BOA's role, which the City Commission can do but now other areas will have to be addressed in the Land Development Code. After additional discussion among the City Commissioners, **City Attorney Bach recommended the motion be changed to state the following: "create an ordinance from this and take it back to the Planning Advisory Board with those changes."** City Attorney Bach advised it is a mistake to remove the option of a variance from the Comprehensive Plan as it represents a taking under the eyes of the law and may serve as a cause for property owners to file Bert Harris Jr. law suits against the City. **Vote upon passage of the motion was taken by ayes and nays as follows:**

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

Motion carried.

8.2 Quasi-judicial – FIRST READING OF ORDINANCE 2017-25 CHANGING THE CITY'S ZONING MAP TO ASSIGN A PLANNED UNIT DEVELOPMENT OVERLAY FOR A PARCEL TOTALING 5.10 ACRES OF LAND LOCATED ON S. 13TH STREET BETWEEN HICKORY STREET AND FIR STREET: City Attorney Bach read Ordinance 2017-25 by title only, which was as follows: "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S ZONING MAP TO ASSIGN A PLANNED UNIT DEVELOPMENT OVERLAY FOR A PARCEL TOTALING 5.10 ACRES OF LAND LOCATED ON S. 13TH STREET BETWEEN HICKORY STREET AND FIR STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE." According to the agenda support documents Ordinance 2017-25 approves a Planned Unit Development (PUD) overlay to approximately 5.10 acres located on S. 13th Street between Hickory Street and Fir Street.

City Attorney Bach explained the quasi-judicial process; the three minute speaking time limit will not be observed during the quasi-judicial hearing, staff will give a presentation and/or introduce evidence into the record, the applicant will then give a presentation and/or introduce evidence into the record. Any affected parties who wish to speak, including the applicant and staff, will take an oath. City Attorney Bach asked the City Commissioners whether any ex-parte communication occurred between themselves and the applicant; Vice Mayor Kreger stated he had a conversation with the applicant related to affordable housing, Commissioner Smith stated Mr. Mock phoned him at home to talk about the project, Commissioner Smith noted Mr. Mock told him (Commissioner Smith) that Vice Mayor Kreger desired affordable housing be included in the development, Mayor Lentz stated she was contacted by Mr. Gillette who asked if she had any questions about the project and noted they did not have an in-depth conversation, Commissioner Poynter stated Mr. Mock left him a phone message but he did not get back to him, Commissioner Miller stated both Mr. Mock and Mr. Gillette met with him (Commissioner Miller) who told the applicants he'd seen the property and supports the project. City Attorney Bach then administered the oath.

Community Development Department Senior Planner Kelly Gibson provided a presentation stating the proposed development meets the requirements of the Land Development Code. Staff recommends approval.

Mr. Nick Gillette, 20 South 4th Street, owner/developer, noted this is a 5.1 acre parcel of which approximately two acres will be open space. Affordable housing is a product he and his partners are looking into providing.

Mr. Lynn Williams, 1899 South Fletcher Avenue, stated this is a good project. It is interesting however that every one of the City Commissioners was contacted by the developer to discuss the merits of this project which speaks to his comments from earlier this evening related to the political-ness that accompanies being a City Commissioner. Mr. Williams also noted the likelihood of this development having true affordable housing is remote. Vice Mayor Kreger stated he had discussions with the developer regarding delivering a product with real Housing Urban Development (HUD) price points. The quasi-judicial hearing was closed at this time. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller to approve Ordinance 2017-25. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

CITY MANAGER REPORTS:

CONGRATULATIONS: City Manager Martin offered his congratulations to newly elected Commissioner Chapman and candidates Orlando Avila and Dr. Chip Ross on the upcoming runoff December 12th to determine the seat.

HOLIDAY: City Manager Martin advised city offices will be closed Friday in observance of Veterans Day and the annual parade downtown will take place Saturday November 11th @11 am and encouraged all veterans to participate. City offices will also be closed Thursday November 23rd in observance of Thanksgiving and the following Friday November 24th.

BIDS: City Manager Martin announced the bids for the marina projects southern attenuator are due by the end of November. The sanitation request for qualifications bids will likely extend the deadline to December 1st due to bidder requests.

EVENTS: City Manager Martin reminded the Northeast Florida Regional Council of Governments Awards luncheon will take place in Jacksonville and the dinner in Lake Butler for the Northeast Florida League of Cities is scheduled for December 11th if anyone is interested in attending.

CITY ATTORNEY REPORTS:

ELECTION: City Attorney Bach expressed pride for our citizens in light of the great voter turnout for the 2017 General Election at 25% considering previous voter turnouts have been below 10%.

THANKS City Attorney Bach offered thanks in observance of Veterans Day to all the veterans who have served.

SENATE BILL 574: City Attorney Bach alerted all that Senate Bill 574, a sweeping preemption bill, not worthy of support, regarding tree trimming and tree removal on private property, commercial or residential, allowing removal of any tree.

SUNSHINE LAW: City Attorney Bach reminded newly elected Commissioner Chapman that the Sunshine Law is in effect to refrain from conversing with his fellow Commissioners except for outgoing Commissioner Poynter.

CITY CLERK REPORTS:

ELECTION: City Clerk Best expressed anticipation in working with Candidate Chapman and reminded all that the runoff will take place December 12th.

CONTEST: City Clerk Best reported in conjunction with the City Manager's Office a selfie contest took place on social media website, Instagram, to promote Florida Cities Government Week. The winners were Mr. Jordan Gallop, Pippi Longstocking representing VillaVillakeula and Ms. Kate Harris.

CONDOLENCES: City Clerk Best offered condolences to Vice Mayor Len Kreger on the recent loss of his mother.

MAYOR/COMMISSIONER COMMENTS:

CONDOLENCES: Commissioner Miller extended condolences to Vice Mayor Kreger, on the loss of his Mother.

MAYOR/COMMISSIONER COMMENTS:

CONDOLENCES: Commissioner Miller extended condolences to Vice Mayor Kreger on the loss of his Mother.

CONGRATULATIONS: Commissioner Miller offered congratulations to Mr. Chapman, a friend who will serve with him on the City Commission.

MARINA: Commissioner Miller asked if a state of the marina monthly update would be considered for commission meetings.

SPECIAL EVENT FEES: Commissioner Poynter inquired about the fees and actual costs to citizens and city to put on a special event and would like to see city staff quantify the new special event fees. If the downtown business association wants to have those fees they should step up and help offset the fees for the events they want to take place rather than it being a tax burden.

THANK YOU: Vice Mayor Kreger acknowledged and thanked all for their condolences on the recent loss of his Mother who lived a wonderful 95 years.

ANNIVERSARY: Vice Mayor Kreger recognized the 241st anniversary of the United States Marine Corps.

CONGRATULATIONS: Vice Mayor Kreger congratulated newly elected Commissioner Chapman and the runoff candidates.

CONGRATULATIONS: Mayor Lentz extended her congratulations to Mr. Chapman on winning the Group Two General Election contest.

THANK YOU: Mayor Lentz thanked all the veterans for their service.

DEBRIS: Mayor Lentz inquired about debris pickup to which City Manager Martin responded it has been resumed by Advanced Disposal and a last pass by subcontractors for storm debris is currently underway to conclude in the coming week.

PETANQUE: Mayor Lentz invited all to the Amelia Island International Petanque Tournament on the waterfront that is free to the public.

INCIDENT: Mayor Lentz remarked on a recent incident regarding dogs on the beach and noted a citizens email offering suggestions based on other beach areas that allow dogs on the beach in certain areas at designated days and times. Commissioner Miller spoke with City Attorney Bach after the incident who said that it can be done and noted there is more liability from beach driving than dogs on the beach. There are cities and county beaches that allow dogs and Vice Mayor Kreger offered his input and assistance to research how to designate a dog beach area.

GOODNIGHT: Mayor Lentz said to goodnight to her children watching at home.

ADJOURNMENT: 8:31 pm

ATTEST:

________________________	________________________
CAROLINE BEST	JOHN A. MILLER
City Clerk	Mayor

APPROVED

1. Call to Order/ Roll Call/Determination of Quorum – The meeting was called to order at 5:00 pm.

Council Members Present

Chair Mark Bennett
Greg Roland
Donna Lewis (Alternate 2)
Frank Santry
Jenny Schaffer (Alternate 1)

Council Members Absent

Wayne L. Peterson
Vice Chair David Beal

Others Present

Tammi Bach, City Attorney
Kelly Gibson, City Planner
Sylvie McCann, Recording Secretary

Both alternates were seated in the absence of Member Peterson and Vice Chair Beal. Chair Bennett welcomed new members Greg Roland and Frank Santry.

2. Approval of Minutes – According to the agenda support documents, the Minutes for the October 11, 2017 Regular Meeting were presented for approval. Attorney Bach advised Members Santry and Roland that although they were not present at the meeting, they were able to vote on the minutes. **A motion was made by Member Lewis, seconded by Member Schaffer, to approve the Minutes. Vote upon passage of the motion was taken by voice vote being all ayes, carried.**

3. New Business

3.1 **PAB CASE 2018-01: AMELIA PARK PUD AMENDMENT (ZONING CHANGE REQUEST)**
Requesting development of a 4.42 acre parcel of land located on Lake Park Drive to create 17 additional residential units with nine (9) units as Type III and eight (8) units as Type II described within the Amelia Park PUD land code.

Ms. Gibson announced that the case would be continued to February 2018 per the applicant's request. Ms. Teresa Prince asked if it would be noticed again and Ms. Gibson said it would not due to cost.

3.2 **PAB CASE 2018-02: LDC TEXT AMENDMENTS TO ADDRESS VARIANCES HEARD BY THE CITY COMMISSION**
Requests a Land Development Code text amendment to modify Section 10.02.01 to allow for the issuance of a variance as granted by the City Commission to deviate from the lot combination restrictions contained in Section 4.02.02 on lots or parcels identified within the Comprehensive Plan defined job opportunity areas and to deviate from LDC Section 3.03.03(A) wetland fill.

Ms. Gibson presented the case in which the City Commission requested that the Land Development Code be amended to have lot combination cases be presented to the Commission for approval instead of the Board of Adjustments; and to not allow for a variance to be heard for filling of wetlands. She noted that this was similar to the pre-2006 LDC where the decision-making could be considered arbitrary and subjective by a political entity. She stated that staff felt that the BOA was well-equiped to make those decisions, that they were well-versed in the LDC, quasi-judicial hearings, determination of hardship and in creating findings of fact, and that they should retain the right to hear all variances with the exception of those with design elements that go before the Historic District Council.

Chair asked Ms. Gibson if after the first reading the Commission had heard the Board's suggestion that they do not make the change. She replied, yes and that they had rejected it.

Member Santry commented that he had two issues with the proposal. First, he shared staff's concerns and felt that there would be more consistency and uniformness with the Board of Adjustment hearing the requests; it assured due process and that the Board had a level of expertise. Secondly, he discussed that in his view, 5.08 of the Comprehensive Plan does not allow for filling of wetlands besides a handful of tiny uses. He did not know why it was added, and asked Ms. Gibson if the filling of wetlands violated the Comprehensive Plan. She explained that the policy direction in the Comprehensive Plan is that there shall not be filling of wetlands, with subsequent policy in the Land Development Code, but that there is a mechanism for relief of hardship, and that has been the request for variance process through the Board of Adjustment. He asked if for an opinion of counsel because he did not think Florida Statute allowed for modifying the Comprehensive Plan by a ruling of the Board of Adjustment.

City Attorney Bach stated that it sounded as though Member Santry wanted to recommend to the Commission that wetland filling is added to items that may not be granted variances. Member Santry stated that it was illegal to change the Comprehensive Plan through a decision of a Board and in court that action would lose. City Attorney Bach said that there are opinions from other lawyers that the wetlands provision as written constitutes a taking and the Comprehensive Plan could come under scrutiny for the language. She stated that language that says there is no filling of wetlands and no variances allowed for that is clear. She stated an analysis of the provision should be done, as there are a lot of developers on the island and not a lot of land; she was concerned that eliminating a variance process would open the City up to Burt Harris claims.

Member Lewis commented that hardship is defined as completely taking away the value or developmental value of the property, and she believed it is useful to have variances. However, she expressed that this coming back to the Planning Board with additions, after the Planning Board recommended against this amendment, shows how politics entered into the process, and illustrated how this is a bad idea.

Chair Bennett asked City Attorney Bach about the meeting where the Commissioners discussed this amendment, and she stated that it was presented clearly that the Planning Advisory Board was against the change, but the Commission wanted to move forward with it anyway. It was sent back to PAB because of the addition. Chair Bennett asked whether the new Commission would still move forward with this, since the proposal was sent from the previous Commission. Ms. Gibson said since this was from the November 8, 2017 meeting, we would not know until it was presented before them in the form of an ordinance. Chair Bennett asked if there was direction from the Commission to proceed.

Member Roland said that if this Board said no, that variances should stay with the BOA, it would send a message to the new Commission to act appropriately. In his opinion, as a former Commissioner, he believed that the Board of Adjustment was the most appropriate place for variances to be heard. He stated that variances should be hard to get, and if you buy in Fernandina Beach, you should know what you got, and that variances for filling wetlands should not be considered.

Member Schaffer agreed that the City Commission should not review variances.

Member Santry cautioned against proposing to add language that states a variance may not be granted for filling wetlands, and that might be creating a change in the LDC that is effective upon adoption, but the corresponding language in the Comprehensive Plan has been around longer and is established.

Chair Bennett stated that in the real estate business, it was a known fact that we don't fill wetlands. He stated that there were two issues, the filling of wetlands and the lot combinations, and recommended addressing them separately. Ms. Gibson explained the current rules regarding lot combinations.

A motion was made by Member Santry, seconded by Member Roland, to deny PAB Case 2018-02, and that hearings of variance requests continue to reside with the Board of Adjustment; that changes to the Land Development Code relating to wetlands not be made; and that the Board believes that filling of wetlands are prohibited by the Comprehensive Plan and variance requests should not be accepted for that purpose. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

3.3 PAB CASE 2018-03: LDC TEXT AMENDMENTS – MINOR REVISIONS

To address minor amendments and Scrivener's Errors Land Development Code Text Amendments are requested to modify Sections 1.07.00 Acronyms and Definitions, 2.03.02 Table of Land Uses, 2.03.03 Table of Accessory Uses, 4.02.01(J) Design Standards for Lots to Address Comprehensive Plan Direction, 4.02.03 Standards for Buildings and Building

Placement to Address Mechanical Equipment Setbacks, 4.02.06 Specific Standards for Townhouse Development, 4.03.03 8th Street Small Area Design Standards Reference to Permissible Signage and Adding a New Section with Specific Provisions for 8th Street Signage (MU-8 District) in Chapter 5 Section 5.03.00, 5.02.06 Movable Module Storage Units, 7.01.01 Access and Driveway Design Requirements, and Section 8.03.09 Appeals of the Historic District Council.

Ms. Gibson stated that the staff requests a continuation of this case until March 14, 2018, as there were some additional changes that may need to be addressed with an updated building code coming out.

4. Board Business

Member Santry commented that the Board would benefit if they were provided a packet with all provisions affected by or in reference to the cases in front of them. As it is, it requires the members to search through the Land Development Code, and requested that staff present those relevant portions in the packet. He also stated that he was concerned that items coming through as Scrivener's Errors affecting change, and that it was dangerous because it trivialized the nature of the changes in language. He requested a minimum of two weeks to review all documents and recommended that the Board not review any item that they did not have at least two weeks to review along with all supporting documentation.

Chair Bennett remembered when he used to receive items in hard copy a week prior to the meeting. Ms. Gibson stated that since she had been there, the agenda and supporting documents had always gone out on Fridays due to staff constraints. Ms. Gibson said that two weeks would be too difficult for staff and putting it off to the next meeting would be unfair to citizens awaiting decisions regarding their property. Member Santry said that to make decisions with only a few days to read the material was irresponsible, because it did not give them enough time, and that the additional time could come on the front end from when the developer submits material. Member Lewis asked how long applications had to be heard; in her experience it was a maximum of 30 days from the time it was received. Ms. Gibson stated the City also has a 30 day deadline, and within that timeframe there are deadlines for advertisement, posting, and mailing requirements. Member Lewis stated that there is a difference between a private property owner's application and policy change cases, and asked that the Board be given more time to review staff-driven cases. Member Santry stated that he wanted a week for everything.

City Attorney Bach asked if everyone was in agreement. Member Lewis said that they wanted two weeks for staff-generated items. Chair Bennett stated that it was okay to receive most developer application items on Friday, but the amount of material for the staff items required two weeks. Ms. Gibson suggested giving changes at the meeting prior to the item being discussed. Member Santry asked for staff to search documents for related items that would be affected by any amendment. Ms. Gibson replied that was already being done, and that when Scrivener's Errors come before the Board, they are to remedy inconsistent language. Anything that impacts laws is done separately. Member Roland stated that multiple changes in a document like the LDC or Comprehensive Plan should require extra time.

4.1 Discuss next steps for proceeding with Comprehensive Plan Amendments specific to the Port

Member Santry commented that he was aware of an email chain between Clyde Davis and City staff that appeared to be factually incorrect as to how the port-specific section of the Comprehensive Plan could be changed. Chair Bennett asked what had happened to the updated draft of the OPHA, Ms. Gibson stated that the latest version was before the Board.

City Attorney Bach explained that the Port Master Plan cannot be changed by the City of Fernandina Beach per Florida Statute. The other item required under Florida Statutes relates to coastal management and includes a port element as part of that plan. OPHA submitted goals and policies for this, and they were reviewed and modified by the Planning Board. The Port Authority can be given a courtesy copy, but they do not have to approve it.

Chair Bennett asked of the Port Authority had received a copy; Ms. Gibson replied not to her knowledge. City Attorney Bach stated that it never went to the City Commission. Ms. Gibson stated that those meetings were conducted as workshops and that the Board had not taken formal action on the document, and a formal application needed to be submitted for the Board to hear it and take action. City Attorney Bach advised that at this point, to move forward with this draft, the Board would need to take formal action on those goals and policies, that has been advertised. Chair Bennett asked if a workshop would be appropriate as there were new members on the Board. Ms. Gibson stated that she can provide the document the Board worked on for them to review and decide how to move forward. City Attorney Bach clarified that they could hold a workshop if they felt they needed to; however, staff may not be present at all workshops due to time constraints.

The Board discussed the relationship between the Port Authority's Master Plan and the City's Comprehensive Plan. Member Roland stated that he would like to see the document already created and that the Board could review and vote on it. Other members agreed that they would like to review them at a meeting. Ms. Gibson stated that the earliest meeting available would be in March, and that would give her time to prepare a clean version to send out to the members with time to review.

4.2 Discuss LDC revisions specific to Central Business District – Centre Street Commercial on 1st Floor

Ms. Gibson explained that there were conversations beginning at the Commission level for the Planning Board to recommend whether a code amendment should be adopted for the Central Business District – Center Street Commercial zoning that would require the first floor of buildings to be commercial, with any residences on the second story. It is currently written to allow for a lot of flexibility in the area, with residential homes next to commercial business like as seen on Second Street, which is historically consistent. She stated that staff thinks it is not something that needs to be addressed.

Chair Bennett commented that when the zoning changed it was to allow for people to live above stores, and it was not considered that someone would tear down a building to put up a multifamily structure. She said the intent is to provide a way to maintain the integrity of the historic structures while having residential space available. Member Schaffer asked if this would apply to the Lesesne House. Ms. Gibson stated that if applied, the Lesesne House would become a nonconforming structure, and if the use lapsed for a period greater than 180 days it would be removed. Member Schaffer asked if an exception could be made as it's the only house on Centre Street. City Attorney Bach said yes, she thought some could be made since it is an historic structure.

Member Lewis commented that there are issues with too many offices on ground floors, so if it came to a point where this would be brought before the Board, that would be a consideration. Ms. Gibson said that Main Street has discussed that point before because a lot of real estate offices are on the first floor of Centre Street, which does not give the storefront effect along Centre Street.

Member Roland wanted to clarify the current regulations and asked if he wanted to take a particular building and make it completely residential, would he be able to. Ms. Gibson stated that there was no requirement that it be commercial just because it was previously. Member Roland stated that the whole use of the building could be changed, and at some point, could have an effect on the character of the downtown area. He thought that this may need to be taken up sooner than later due to housing pressures. Member Santry shared the concerns regarding building pressures and wants to be proactive with this issue, as he is worried about unintended consequences of the new zoning for that area.

Member Schaffer was worried that putting in restrictions would be hard for business and property owners in that area in telling them what they can and can't do just because someone might not like the look of the property. Chair Bennett said that it might be a problem now because the zoning density of the area had changed. Member Santry said any restrictions would be for future development only, and the increased density was to create more residential areas Downtown. He was concerned about it creating issues for parking and other considerations.

Member Roland stated that the goal was to increase residential component which in being accomplished could alter the retail character of Centre Street as an unintended consequence. If businesses moved out, it would change the City. He voiced that he wanted to protect Downtown by restricting residential to upstairs levels.

Ms. Gibson commented that adding additional residences above a storefront serves to promote more business to the restaurants, and to provide expanded services to those who live in the downtown and surrounding areas. She added that the goal was to have enough residents in that area to create a need for services and for businesses to develop and provide the services that currently aren't available within walking distance. She stated that more can be done to protect the downtown area by incentivizing businesses to be down there, and putting too many restrictions defeats the purpose of a living community. She proposed that Main Street could look at these issues and provide data the Board needs to make informed decisions and would like to see Main Street take this up as an issue.

Chair Bennett commented that given an opportunity, any of the buildings Downtown could be turned into a multifamily residence and that alone could change the character of Centre Street, and there should be some planning for unintended consequences. Member Santry stated that Main Street should be a part of this but it is not up to them to make changes to the Land Development Code. He doesn't like the idea of a condominium style residence on Centre Street.

City Attorney Bach asked about the next steps. Member Roland proposed that retail/commercial spaces are always on the first floor of Centre Street, Ash and Alachua, whether it was a zoning or development change. He agreed with Ms. Gibson about the dynamic of downtown, but that the paradigm shifted when the zoning changed, and he thought the market might make it too residential. Ms. Gibson suggested that going further than Centre Street with any changes is unreasonable because it will change the character of the side streets, which have single family homes adjacent to restaurants and hotels. She emphasized that if the concern was the look of Centre Street as you stroll down that this should be the focus. She noted that she saw more of the live/work activity and that she was concerned about this becoming too restrictive. She also said that she didn't think an apartment building on Centre Street was keeping in character with the street, but it would be okay on a side street.

Member Santry stated that the sentiment from the Board is preservation and they do not want to see an historic building destroyed. He requested that staff look into express restrictions for Centre Street to maintain historic properties and that emphasize retail on the ground floor.

Ms. Gibson stated that the process at hand is limited to discussion, that direction for change comes from the Commission and that the Planning Board was willing to take on a potential overlay district for Centre Street. Member Lewis suggested that staff reach out to Princeton planning staff because this was an issue with the first floors becoming professional offices instead of retail. Ms. Gibson agreed to send a message to the City Manager to advise the Commission.

5. Staff Report

5.1 9th Street Context Sensitive Complete Street Study update

Ms, Gibson stated that there will be a meeting Thursday, February 1, 2018 at 5:30pm with consultants from the Transportation Planning Organization as part of the study on 9th Street for a "complete streets" project. This meeting is to get feedback from the community. Chair Bennett stated he had heard some negativity regarding the project. Ms. Gibson said that she hadn't heard that, but it was the first meeting and was going to be a pretty interactive workshop.

Member Santry suggested that additional outreach to African American churches and the NAACP was needed for this process. Ms. Gibson noted that mailings were going out to property owners in the immediate and surrounding areas, along with traditional newspaper ad, social media ads, and taking postcards to businesses and local religious centers in the area to advertise.

6. Comments by the Public

There were no comments by the public.

7. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 6:45 p.m.

Sylvie McCann, Clerk

Mark Bennett, Chair

February 21, 2018
Newsleader Edition

NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, March 6, 2018, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2018-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 TO PROVIDE THE CITY COMMISSION WITH REVIEW AUTHORITY OF CERTAIN VARIANCE REQUESTS; PROHIBITING THE GRANTING A VARIANCE FOR FILLING WETLANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/ COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday, (904) 310-3115.

NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for /**Tuesday, April 3, 2018, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2018-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING LAND DEVELOPMENT CODE (LDC) SECTION 10.02.01 TO PROVIDE THE CITY COMMISSION WITH REVIEW AUTHORITY OF CERTAIN VARIANCE REQUESTS; PROHIBITING THE GRANTING OF A VARIANCE FOR FILLING WETLANDS; PROHIBITING THE GRANTING OF A VARIANCE TO EXCEED 35-FOOT BUILDING HEIGHT LIMIT FOR PROPERTIES WITHIN 800 FEET OF THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday, (904) 310-3115.

Note:
Please run as a DISPLAY in the March 21, 2018 edition of the News Leader.

Please send proof of publication to*:*
City Clerk's Office
City Hall, 204 Ash Street
Fernandina Beach, FL 32034
904-310-3115

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Ordinance 2018-03 Code Amendment - Overnight Parking
ITEM TYPE:	Ordinances (w/ fiscal impact)

REQUESTED ACTION: Consider Ordinance 2018-03 at Third Reading.

SYNOPSIS: The Events Committee and the City Manager's Office have asked that the City Commission amend Chapter 78 of the City Code to allow parking of recreational vehicles as approved by the Events Committee and with a Special Events Permit. This Ordinance would limit the locations to City owned properties, i.e. parking lots, Central Park, Main Beach Park.

The attached Ordinance approves an amendment to Ordinance 2011-15 to allow recreational vehicles overnight when approved by the Events Committee and with a Special Event Permit.

This Ordinance was approved at First Reading by the City Commission on February 20, 2018. At Second Reading on March 20, 2018, the Ordinance was postponed to April 3, 2018.

FISCAL IMPACT: The proposed fee for overnight parking is $25 per vehicle and is included in the amended Fee Schedule (approved at March 20, 2018, Regular Commission Meeting).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): No additional comments.

Dale Martin, City Manager	03/21/2018
Patti Clifford, Comptroller	03/21/2018
Tammi E. Bach, City Attorney	03/22/2018

Submitted By: ______________________ Nicole Bednar, Administrative Services Manager — Date: March 21, 2018

COMMISSION ACTION: Enact

ORDINANCE 2018-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING ORDINANCE 2011-15 AND AMENDING THE CITY CODE OF ORDINANCES CHAPTER 78, ARTICLE III, STOPPING, STANDING AND PARKING, DIVISION I GENERALLY, BY AMENDING SECTION 78-84 TO ALLOW OVERNIGHT PARKING OF RECREATIONAL VEHICLES, AND TRAILERS ~~AND TENTS~~ WHEN APPROVED BY THE EVENTS COMMITTEE AND WITH A SPECIAL EVENTS PERMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. It is hereby proposed that Section 78-84, Code of Ordinances, City of Fernandina Beach, Florida, be amended to read as follows:

Sec. 78-84. Stopping, standing, or parking prohibited in specified places.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a vehicle:

a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

b. On a sidewalk.

c. Within an intersection.

d. On a crosswalk.

e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the department of transportation or department of public works indicates a different length by signs or markings.

f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.

g. Upon any bridge or other elevated structure upon a highway.

h. On any railroad tracks.

i. On a bicycle path.

j. At any place where official traffic control devices prohibit stopping.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

a. In front of a public or private driveway.

b. Within 15 feet of a fire hydrant.

c. Within 20 feet of a crosswalk at an intersection.

d. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.

e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when property sign posted).

f. On an exclusive bicycle lane.

g. At any place where official traffic control devices prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:

a. Within 50 feet of the nearest rail of a railroad crossing unless the department of transportation or city manager establishes a different distance due to unusual circumstances.

b. Alongside or adjacent to any curb painted yellow.

c. Across pavement lines painted on the roadway designated for parallel or angular parking.

d. At any place where official signs prohibit parking.

(4) Park overnight ~~without a valid permit~~ any recreational vehicle, travel trailer, travel camper, mobile home or similar vehicle, or park any boat trailer, utility trailer or similar vehicle whether occupied or not, overnight on public property, including but not limited to public streets and public parking lots, with the exception of Special Events that have been approved by the Events Committee and that have obtained a Special Events Permit, and then only in designated City owned parks and parking lots.

(5) All vehicles, including but not limited to recreational vehicles, boat trailers and utility trailers, parked for any time on public property, shall be currently and validly registered with the appropriate state title as evidenced by a valid tag displayed on the vehicle.

SECTION 2. 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 3. This Ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED this 3rd day of April, 2018.

CITY OF FERNANDINA BEACH

____
John A. Miller
Commissioner – Mayor

ATTEST:

____
Caroline Best
City Clerk

APPROVED AS TO FORM & LEGALITY:

____
Tammi E. Bach
City Attorney

NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for /**Tuesday, March 20, 2018, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2018-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING ORDINANCE 2011-15 AND AMENDING THE CITY CODE OF ORDINANCES CHAPTER 78, ARTICLE III, STOPPING, STANDING AND PARKING, DIVISION I GENERALLY, BY AMENDING SECTION 78-84 TO ALLOW OVERNIGHT PARKING OF RECREATIONAL VEHICLES, TRAILERS, AND TENTS WHEN APPROVED BY THE EVENTS COMMITTEE AND WITH A SPECIAL EVENTS PERMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday, (904) 310-3115.

Note:
Please run as a DISPLAY in the March 7, 2018 edition of the News Leader.

Please send proof of publication to:
City Clerk's Office
City Hall, 204 Ash Street
Fernandina Beach, FL 32034
904-310-3115

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Board Appointment Board of Adjustment
ITEM TYPE:	Board Appointment

REQUESTED ACTION: Approve appointment

SYNOPSIS:

In accordance with Ordinance 540, Section 1(a); Board of Adjustment members shall be appointed by the City Commission. At this time, the Board of Adjustment has one Alternate Member #2 vacancy. This is a three-year term, ending February, 2019.

Mr. Michel Brown, Mr. Enrique P. (Ricky) Escalante, Mr. Mike Lednovich, and Mr. Russell Norris submitted Advisory Board/Committee Applications to the Board of Adjustment for consideration January 17, 2018, and March 7, 2018. The Board of Adjustment reviewed the applications and voted unanimously to forward them to the Honorable City Commission for consideration.
In accordance with City Charter, Section 69; the Advisory Board applicants reside within the jurisdictional boundaries of the City of Fernandina Beach.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): No recommendation.

Caroline Best, City Clerk	03/15/2018
Nicole Bednar, Administrative Services Manager	03/26/2018
Dale Martin, City Manager	03/26/2018

Caroline Best
Date: March 15, 2018

Submitted By: Caroline Best, City Clerk

COMMISSION ACTION: Approve

Kim Briley

From:	noreply@civicplus.com
Sent:	Friday, November 10, 2017 12:14 PM
To:	Caroline Best; Kim Briley
Subject:	Online Form Submittal: Advisory Board/Committee Application

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
City Clerk's Office
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115

Name	Michael Brown
Home Mailing Street Address	404 S 16th St
City	Fernandina Beach
Zip Code	32034
Primary Phone	904-206-1161
Secondary Phone	*Field not completed.*

Please note that board materials are distributed electronically.

Email to receive board materials	mikebrown32034@gmail.com
Employer	BHHS Chaplin Williams Realty
Position Title	Sales Associate
Business Address	5472 1st Coast Hwy
City	Amelia Island
Zip	32034
Select the board you are applying for:	Board of Adjustment

Additional board that you are applying for:	Parks & Recreation Advisory Committee
Why are you interested in serving on this Board? Please explain.	As a local realtor and citizen, I think it is important to uphold the standards of the LDC. It is equally important to hear appeals and determine what is best for the city.

Eligibility

Are you a resident of the City?	Yes
Length of time:	April 2011 - present
Do you hold a public office?	No
Office name:	*Field not completed.*
Are you employed by the City?	No
Position:	*Field not completed.*
Are you currently serving on a Board?	No
Board Name:	*Field not completed.*

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?	No
If yes, please provide details:	*Field not completed.*

Major Affiliations:

List community, professional, or other applicable policy-making Boards on which you	None

have served.
Note the length of service and office held (if any):

Qualifications:

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended:	Bachelors Degree in Organizational Management. Employed by BHHS Chaplin Williams who leads the market in volume of real estate sales.
Organization or Commissioner sponsoring nomination (if applicable):	Dee Chaplin Owner of BHHS Chaplin WIlliams
Educational Background: (Check all that apply)	High School, BS/A
Other:	*Field not completed.*
Major areas of study:	Business

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 (Form1) 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

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

Date	11/10/2017
Applicant's Signature	Michael Brown

Email not displaying correctly? [View it in your browser.]

Caroline Best

From: noreply@civicplus.com
Sent: Thursday, January 25, 2018 10:30 AM
To: Caroline Best; Kim Briley
Subject: Online Form Submittal: Advisory Board/Committee Application

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
City Clerk's Office
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115

Name	Enrique P (Ricky) Escalante
Home Mailing Street Address	804 Atlantic Ave
City	Fernandina Beach
Zip Code	32034
Primary Phone	9042774300
Secondary Phone	361 222 4631

Please note that board materials are distributed electronically.

Email to receive board materials	info@hoythouse.com
Employer	Hoyt House Bed & Breakfast
Position Title	Owner
Business Address	804 Atlantic Avenue
City	Fernandina Beach
Zip	32034
	Historic District Council

Select the board you are applying for:	
Additional board that you are applying for:	Board of Adjustment
Why are you interested in serving on this Board? Please explain.	I am relatively new to the area and would like to get involved. Feel I have capabilities that can benefit the city and would like to contribute my time towards continuous improvement for FB.
Eligibility	
Are you a resident of the City?	Yes
Length of time:	16 mos
Do you hold a public office?	No
Office name:	N/A
Are you employed by the City?	No
Position:	N/A
Are you currently serving on a Board?	No
Board Name:	N/A
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?	No
If yes, please provide details:	N/A
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):	Board of Adjustment, City of Lewisville, TX; Planning and Zoning Commission, City of Lewisville, TX; Candidate for City Council, City of Lewisville, TX. Member of AIA (American Institute of Architects) and CSI (Construction Specifications Institute) previously.

Qualifications:

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended:	BS Construction Engineering Tech - Louisiana State University; VP & GM and Pres & CEO Gulf Marine Fabricators, Ingleside, TX; General Manager, McDermott Fabricators, Batam Island, Indonesia; Business Owner; Homebuilder in late 80's.
Organization or Commissioner sponsoring nomination (if applicable):	N/A
Educational Background: (Check all that apply)	BS/A
Other:	N/A
Major areas of study:	Engineering

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 (Form1) 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

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

Date	19January2018
Applicant's Signature	Enrique P Escalante (Ricky)

Email not displaying correctly? View it in your browser.

Caroline Best

From: noreply@civicplus.com
Sent: Thursday, February 22, 2018 8:49 AM
To: Caroline Best; Kim Briley
Subject: Online Form Submittal: Advisory Board/Committee Application

Follow Up Flag: Follow up
Flag Status: Completed

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
City Clerk's Office
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115

Name	Mike Lednovich
Home Mailing Street Address	1586 Canopy Dr.
City	Fernandina Beach
Zip Code	32034
Primary Phone	7143989824
Secondary Phone	*Field not completed.*

Please note that board materials are distributed electronically.

Email to receive board materials	malednovich@gmail.com
Employer	Lednovich Business Consulting
Position Title	President
Business Address	1586 Canopy Dr
City	Fernandina Beach

Zip	32034
Select the board you are applying for:	Board of Adjustment
Additional board that you are applying for:	Planning Advisory Board
Why are you interested in serving on this Board? Please explain.	As a professional in organizational development I can support and advise fellow board members in achieving high priority initiatives as well as gathering key data/metrics to make the best informed decisions impacting the citizens of the city. I believe in giving back to my community and serving my fellow citizens.

Eligibility

Are you a resident of the City?	Yes
Length of time:	7 months
Do you hold a public office?	No
Office name:	*Field not completed.*
Are you employed by the City?	No
Position:	*Field not completed.*
Are you currently serving on a Board?	No
Board Name:	*Field not completed.*

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?	No
	Field not completed.

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):	Make-A-Wish Orange County/Inland Empire (4 years) , Professional Coaches and Mentors Association Orange County (2 years), Orange/Villa Park Girls Softball League (3 years)
Qualifications:	
Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended:	I have advised and trained employees of companies from the size of Disney World and Edwards LifeSciences to small and mid sized businesses on achieving key strategic goals. I have facilitated numerous groups on strategic plans and visioning projects followed by tactics to execute plans on those visions.
Organization or Commissioner sponsoring nomination (if applicable):	*Field not completed.*
Educational Background: (Check all that apply)	High School
Other:	Certification the FranklinCovey Leadership Center; Organizational Development Certification Stanford University Graduate School of Executive Business Education; Career Coaching Certification Chapman University
Major areas of study:	Leadership, management, business performance and organizational development

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 (Form1) 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

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

Date	02/22/2018
Applicant's Signature	Mike Lednovich

Email not displaying correctly? View it in your browser.

Caroline Best

From:	noreply@civicplus.com
Sent:	Sunday, January 21, 2018 12:07 PM
To:	Caroline Best; Kim Briley
Subject:	Online Form Submittal: Advisory Board/Committee Application
Follow Up Flag:	Follow up
Flag Status:	Completed

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
City Clerk's Office
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115

Name	Russell Norris
Home Mailing Street Address	marusseinc@gmail.com
City	Fernandina Beach
Zip Code	32034
Primary Phone	9044307572
Secondary Phone	9044307572

Please note that board materials are distributed electronically.

Email to receive board materials	marusseinc@gmail.com
Employer	self
Position Title	president
Business Address	526 S 5TH ST
City	FERNANDINA BEACH

Zip	32034
Select the board you are applying for:	Board of Adjustment
Additional board that you are applying for:	None
Why are you interested in serving on this Board? Please explain.	I served on the zoning appeals board in Seneca, S. C. I enjoy serving the community and bring a good balance of fairness considering the community and applicants.

Eligibility

Are you a resident of the City?	Yes
Length of time:	6 years
Do you hold a public office?	No
Office name:	*Field not completed.*
Are you employed by the City?	No
Position:	*Field not completed.*
Are you currently serving on a Board?	No
Board Name:	*Field not completed.*

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?	No
If yes, please provide	*Field not completed.*

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):	Seneca S. C. Zoning board of appeals 2 years

Qualifications:

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended:	My position with Bell South partly consisted of conflict resolution with customers, employees and with the S.C. Public Utilities Commission.
Organization or Commissioner sponsoring nomination (if applicable):	*Field not completed.*
Educational Background: (Check all that apply)	High School
Other:	Several college credits at different schools. Also completed studies at the Upstate Episcopal ministry Studies.
Major areas of study:	Business, theology

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 (Form1) 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

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

Date	01/20/18
Applicant's Signature	Russell L. Norris

Email not displaying correctly? View it in your browser.

BOARD OF ADJUSTMENT

Meeting: Third Wednesday of every month, 5:30 p.m., City Commission Chambers				
Appointment Date	NAME	**ADDRESS**	**TELEPHONE**	**TERM**
02/13	**Marcy Mock marcy@marcymock.com	2008 Highland Drive	753-6500 (W)	3 yrs-11/2018
09/06	Charles Burns obaku@comcast.net	2100 S. Fletcher Avenue	415-3055	3 yrs-09/2018
10/10	Lynn Williams Lynwil3@gmail.com	1899 S. Fletcher Avenue	491-0059 (H)	3 yrs-06/2018
05/15	*Matt Miller islandplumber@hotmail.com	416 Fir Street	(912) 270-5826	3 yrs-09/2018
02/13	*Tisha Dadd tishadadd@live.com	1328 N. Fletcher Avenue	(904) 222-8988 (W)	3 yrs-05/2019
02/16	*Alternate #1* Barry Hertslet Barry.hertslet@gmail.com	2705 Robert Oliver Avenue	904) 491-0720	3 yrs- 05/2018
	Alternate # 2 ***VACANT***			3 yrs- 02/2019
***Chair **Vice Chair**				
Staff Coordinator: Jacob Platt, City Planner **FINANCIAL DISCLOSURE REQUIRED**				

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Discussion Railroad and Front Street Development
ITEM TYPE:	Discussion

REQUESTED ACTION:

SYNOPSIS: This item is placed on the agenda at the request of Honorable Commissioner Ross.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Caroline Best, City Clerk	03/26/2018
Dale Martin, City Manager	03/26/2018

Caroline Best

Date: March 26, 2018

Submitted By: Caroline Best, City Clerk

COMMISSION ACTION:

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Discussion Historic Standard Marine Building Demolition by Neglect
ITEM TYPE:	Discussion

REQUESTED ACTION:

SYNOPSIS: This item is placed on the agenda at the request of Honorable Commission Ross.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager 03/26/2018

Caroline Best

Submitted By: Caroline Best, City Clerk Date: March 26, 2018

COMMISSION ACTION:

Nicole Bednar

From: Dale Martin
Sent: Monday, March 26, 2018 11:23 AM
To: Caroline Best
Subject: FW: Standard Marine Building

Caroline:

The thread below is the only correspondence that I have related to the recent "demolition by neglect" activities.

Mr. Dale L. Martin
City Manager, Fernandina Beach

From: Salvatore Cumella
Sent: Wednesday, March 21, 2018 10:41 AM
To: Richard (Dick) Goodsell; Dale Martin
Cc: David Flint; Michelle Forstrom
Subject: RE: Standard Marine Building

Good Morning Mr. Goodsell,
I would like to speak to you regarding this matter. I will be out of City Hall at appointments most of the day today, but can be available any time after 3 this afternoon or tomorrow between noon and 1PM.
To let you know what has transpired, The Historic District Council had directed me to present the current condition of the building, when a Commissioner asked them to discuss the condition issues at this structure as it relates to our demolition by neglect regulations. This is not the same thing as engineering report. This was basically a "windshield survey" to document the exterior conditions of the structure. Based on the visible condition, the Historic District Council felt that referring this case to the Code Enforcement and Appeals Board (CEAB) for review and discussion was the most appropriate action. The date of this meeting has not been set, but you will receive notification ahead of time from At this hearing, you or your representative will be encouraged to discuss the issues at the site, the continued deterioration of this building, and what mitigation strategies you are willing to undertake to correct them. As part of that discussion, I encourage you to present and discuss the engineering reports that have been conducted. The CEAB will work with you on determining what needs to be done and ask you to provide realistic timelines to achieve any needed improvements. Vacant structures are permitted in the City, but must be maintained and prevented from becoming blighted. The rule of thumb for vacant structures is that no one driving by should ever know they are vacant. We have more than one building on Centre Street that are currently vacant and gutted and most visitors and citizens walk past them without ever knowing they are vacant.
I am happy to discuss further with you and answer any questions you may have. Let me know when is best for you for a call and we discuss.
Thanks,
-Sal

Salvatore J. Cumella

Historic Preservation Planner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
904.310.3148
SCumella@fbfl.org
www.fbfl.us/cdd

If this email is related to the Board, Committee or Commission that you serve on, please DO NOT REPLY TO ALL.

CDD: Working Together for a Safer Community
Tell us how we're doing: CDD Customer Feedback

Like the City on Facebook!

Go Green: Please don't print this unless it's really necessary.

2017 APA BRONZE LEVEL
Comprehensive Plan Standards for Sustaining Places Recognized Plan

APA FL GREAT PLACES IN FLORIDA
The Florida Chapter of the American Planning Association celebrates excellence in planning.

-----Original Message-----
From: Richard (Dick) Goodsell [mailto:dickgoodsell5@gmail.com]
Sent: Tuesday, March 20, 2018 5:12 PM
To: Salvatore Cumella; Dale Martin
Cc: David Flint
Subject: Standard Marine Building

Sal,

Its regrettable that you do not feel the need to return my calls. I feel that I have a lot more professional engineering analysis of the structural integrity of the Standard Marine building than you can get looking thru a broken glass window and I value the opinions of those professionals more than citizens group that know nothing about construction or the unique circumstances that building presents. I should have been notified prior to your presentation to the HDC to outline whats been done in the past year as well as the present status of the building. Your actions only make it more difficult to entice a prospective purchaser. To ignore me and continue on your present path will only lead to unwanted litigation.

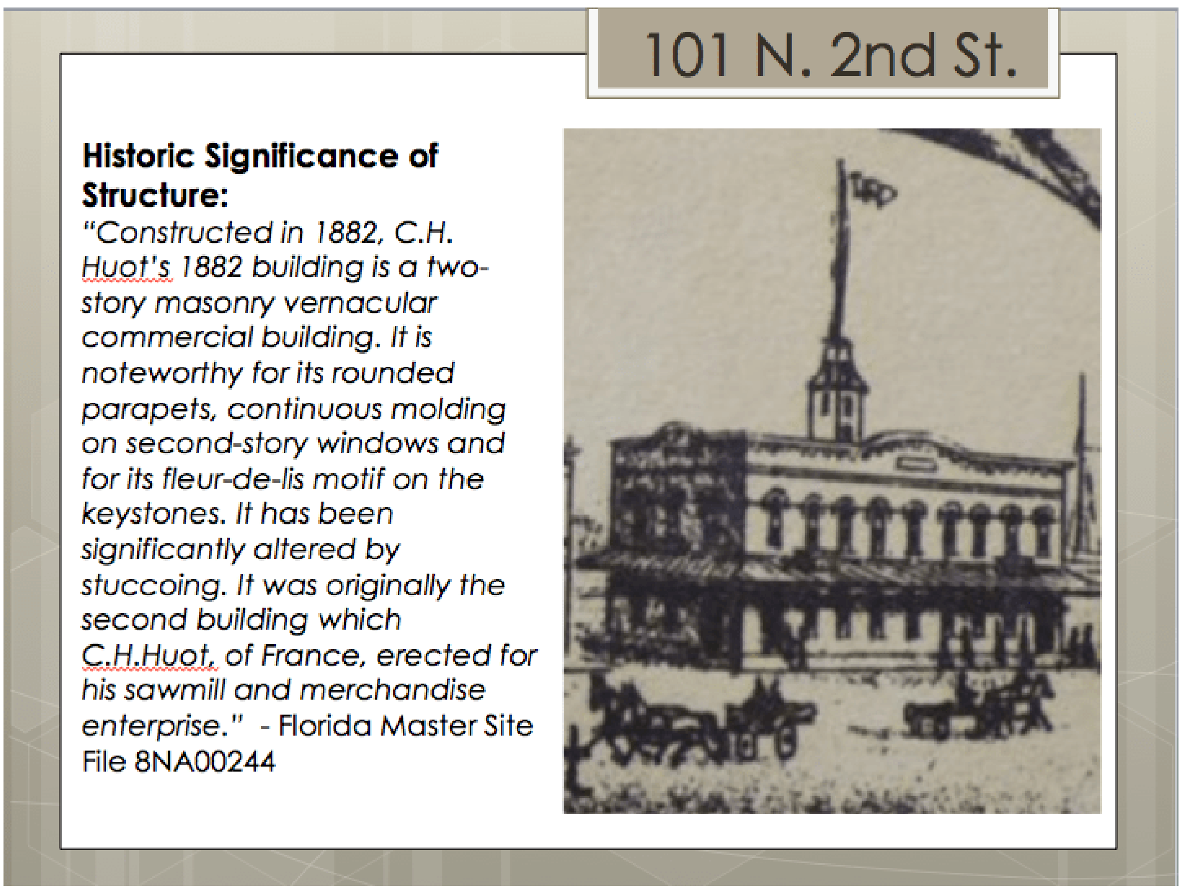
I find it ironic that The City has made no improvements for“decades” in this area and the CRA has accomplished nothing in over it’s 12 years north of Center Street and yet they are demanding I do something immediately

FERNANDINA OBSERVER NEWS

Fernandina Obser
A JOURNAL OF NEWS AND OPINION

HDC issues finding of Demolition by Neglect on Standard Marine Building

Submitted by Suanne Z. Thamm
Reporter – News Analyst
March 16 2018 1:14 p.m.



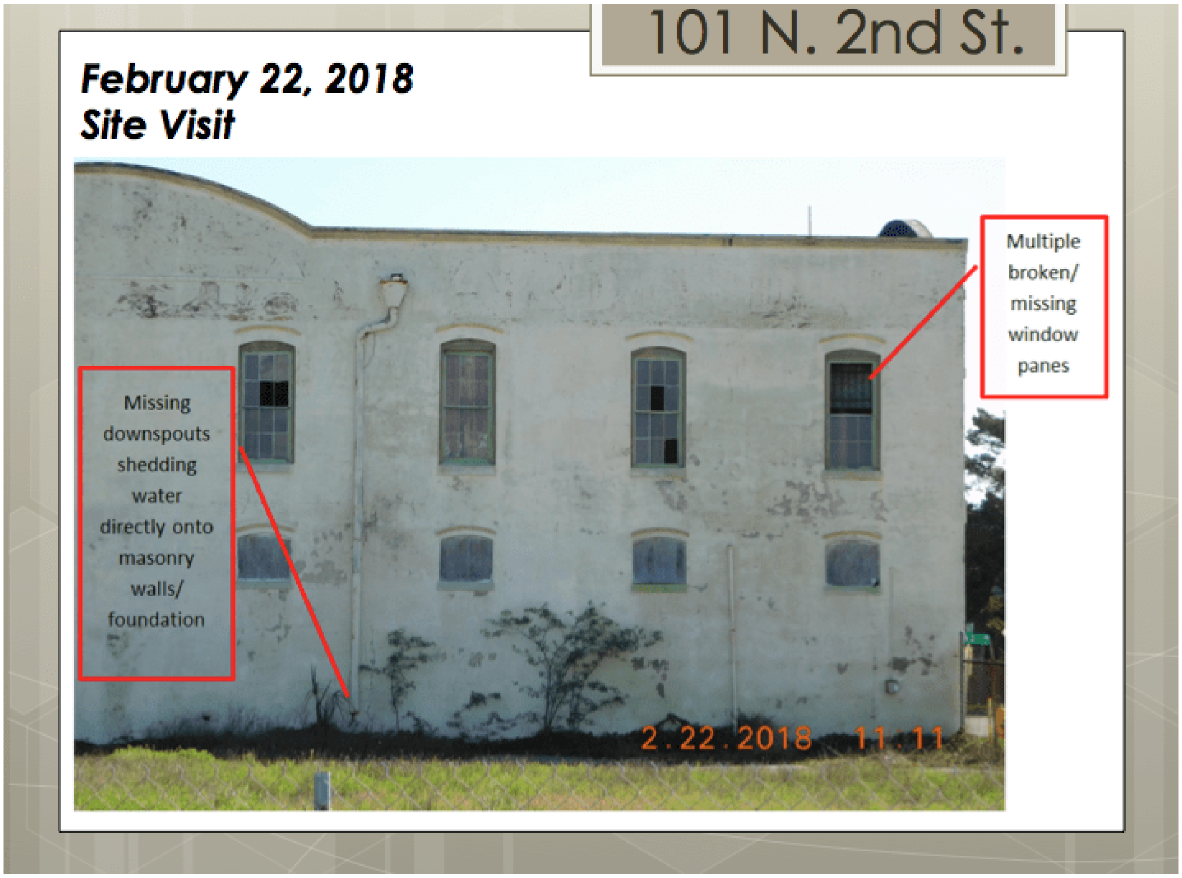
Fernandina Beach Preservation Planner Sal Cumella presented the city's Historic District Council (HDC) with current photos of the Huot Building, more commonly called the Standard Marine Building at the HDC's March 15, 2018 Regular Meeting. Built in 1882, this is one of the more iconic buildings in the city, harkening back to days when maritime industries and businesses flourished along the Amelia River in

Fernandina Beach. It has survived many challenges over the years, including the 1898 Hurricane, a Category 4 by today's standards, that destroyed most of downtown Fernandina.

The building was not included in the local Historic District at the request of its owners when the District was established in the late 1970's. However, while owned by the Standard Marine enterprise, the building had been well maintained and treated as a historic building.

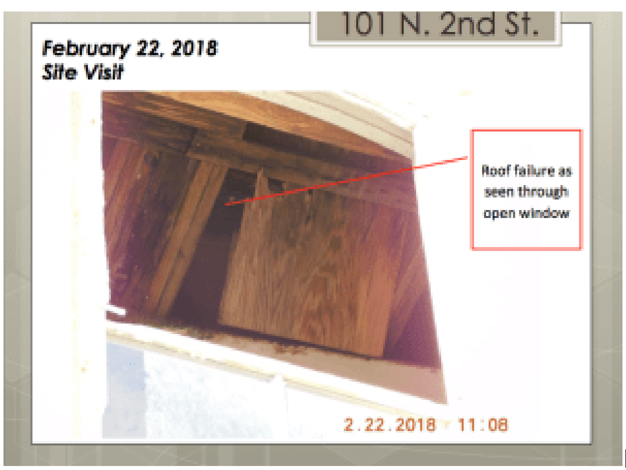
THE STANDARD MARINE BUILDING IN BETTER TIMES. NOTE THE BURBANK NETWORKS BEHIND THE BUILDING.

Following its sale to other owners the building has been the centerpiece of various development plans that have never materialized. The building has remained unoccupied for many years, as time, weather and lack of maintenance have taken their toll on the once attractive building.



BUILDING TODAY

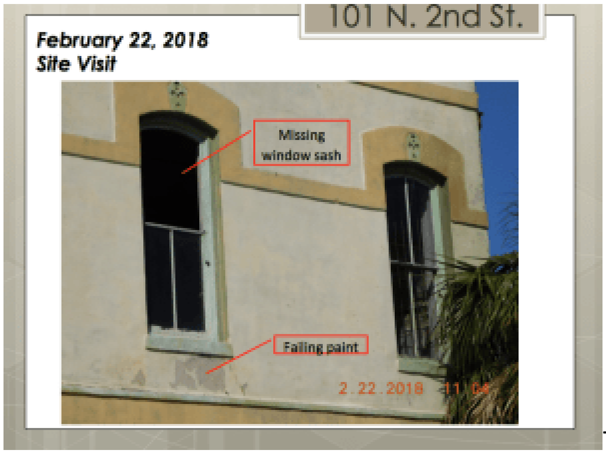
While not located in the local Historic District, the building is located in the Community Redevelopment Area (CRA). The HDC has design review authority for existing and proposed structures in that area.



HOLE IN ROOF SEEN THROUGH BROKEN WINDOW

After viewing Cumella's 28-slide PowerPoint on the current state of the building, HDC members decided that they could no longer turn a blind eye, in hopes of imminent development, to the conditions that apparently imperil the building's structure. They expressed fears that continued water intrusion through a hole in the roof could weaken the building's walls.

There was strong consensus that the local community does not want to see the building torn down, but that it doesn't want to see it fall down, either. Hope was expressed that by issuing a finding of Demolition by Neglect, the owner would take action to see that neither possibility materialized.



The case will be heard before the city's Code Enforcement and Appeals Board (CEAB) next month. Hope was expressed that the CEAB would be able to prod the owner to take action to make necessary repairs to save the building from further deterioration until such time as it can find a new life in the community.

Should the owner not take action, the CEAB may start imposing fines at a rate of $500 per day. The fines run with the property, not the owner. The current owner of record is Front Street Property, LLC.

It was the hope of all parties involved—HDC, city staff, and audience members – that the property owner, who has always expressed a respect for the property, would act to stave off any further administrative action and make the needed repairs.


Editor's Note: Suanne Z. Thamm is a native of Chautauqua County, NY, who moved to Fernandina Beach from Alexandria,VA, in 1994. As a long time city resident and city watcher, she provides interesting insight into the many issues that impact our city. We are grateful for Suanne's many contributions to the Fernandina Observer.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Discussion Status of Marina Attenuator Permit and Relocating the Channel
ITEM TYPE:	Discussion
REQUESTED ACTION:	

SYNOPSIS: This item is placed on the agenda at the request of Honorable Commissioner Ross

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Caroline Best, City Clerk	03/26/2018
Dale Martin, City Manager	03/26/2018

Caroline Best

Submitted By: Caroline Best, City Clerk

Date: March 26, 2018

COMMISSION ACTION:

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach

SUBJECT:	Discussion Discussion Item Limit
ITEM TYPE:	Discussion

REQUESTED ACTION:

SYNOPSIS: this item is placed on the agenda at the request of Honorable Commissioner Smith.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Caroline Best, City Clerk	03/26/2018
Dale Martin, City Manager	03/26/2018

Caroline Best

Submitted By: Caroline Best, City Clerk

Date: March 26, 2018

COMMISSION ACTION: