



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
MAY 15, 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

In memory of Fernandina Beach Police Chaplain Donald McFadyen, the City Commission will observe a moment of silence.

4. PROCLAMATIONS / PRESENTATIONS

4.1 **PROCLAMATION - "MEMORIAL DAY"** - *Recognizes May 28, 2018, as "Memorial Day." Members of the Veterans of Foreign Wars Post 4351 will be in attendance to accept the Proclamation.*

4.2 **PROCLAMATION - "PEACE OFFICERS MEMORIAL DAY" AND "NATIONAL POLICE WEEK"** - *Proclaims May 15, 2018, as "Peace Officers Memorial Day" and the week of May 13, 2018, as "National Police Week." Chief James T. Hurley will be present to accept the Proclamation.*

4.3 **PRESENTATION - NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION (TPO)** – *Ms. Wanda Forrest, Transportation Planning Manager of the North Florida TPO, will provide a brief update and answer questions regarding projects planned and programmed for the area.*

4.4 **PRESENTATION - CODE ENFORCEMENT AND APPEALS BOARD** - *Code Enforcement Manager Michelle Forstrom and Code Enforcement and Appeals Board Chair Buddy Boyd will present an overview of the Code Enforcement and Appeals Board.*

4.5 **PRESENTATION - FERNANDINA BEACH MAIN STREET PROGRAM** - *Ms. Arlene Filkoff of Fernandina Beach Main Street will provide a synopsis of projects occurring within each of the four Main Street Councils (Promotions, Economic Restructuring, Organization, and Promotion).*

4.6 **BUDGET SUMMARY** - *Comptroller Patti Clifford will answer any questions regarding the budget summary for April 2018.*

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

6. CONSENT AGENDA

- 6.1 **APPROVAL OF MINUTES** - *City Commission Workshop - August 15, 2017; City Commission Regular Meeting - August 15, 2017; City Commission Special Meeting - August 29, 2017; City Commission Workshop - February 27, 2018; and City Commission Special Meeting - February 27, 2018.*

7. RESOLUTIONS

- 7.1 **VEHICLE USE POLICY AMENDMENTS** - RESOLUTION 2018-67 APPROVES AMENDMENTS TO THE VEHICLE USE POLICY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves amendments to the Vehicle Use Policy.*
- 7.2 **INTERLOCAL AGREEMENT - NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS** - RESOLUTION 2018-68 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF FERNANDINA BEACH FOR COMPLETION OF A HOUSING NEEDS ASSESSMENT; 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 funding and staff support of a Housing Needs Assessment.*
- 7.3 **BUDGET AMENDMENTS - VARIOUS DEPARTMENTS** - RESOLUTION 2018-69 APPROVING THE TRANSFER OF GENERAL FUND CONTINGENCY FUNDS AND RESERVE FUNDS TO VARIOUS GENERAL FUND DEPARTMENTS FOR HIGHER THAN BUDGETED COPIER COSTS. *Synopsis: Approves the transfer of funds to various General Fund Contractual accounts from the General Fund Contingency account and the General Fund Reserve account.*
- 7.4 **BUDGET AMENDMENT - FINANCE DEPARTMENT**- RESOLUTION 2018-70 APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2017/2018; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a transfer of funds to Finance Professional Services account, from the Finance Salaries account for Comptroller recruitment expenses.*
- 7.5 **MOBILE DEVICE POLICY ADOPTION** - RESOLUTION 2018-71 ADOPTING A MOBILE DEVICE POLICY TO BE INCLUDED IN THE CITY'S PERSONNEL POLICY MANUAL; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts a Mobile Device Policy for later inclusion in the City's Personnel Policy Manual.*
- 7.6 **TRAIL DESIGNATION SUBMISSION APPROVAL - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)** - RESOLUTION 2018-72 APPROVING THE SUBMITTAL OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR DESIGNATION OF CERTAIN PUBLIC LANDS AS PART OF THE FLORIDA GREENWAYS AND TRAILS SYSTEM; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the submission of an application to FDEP requesting designation of the Fernandina Beach Segment of the Cumberland to Timucuan Regional Trail as a component of the Florida Greenways and Trails System.*

8. ORDINANCES - FIRST READING

- 8.1 **AGREEMENT APPROVAL - ADVANCED DISPOSAL SERVICES STATELINE, LLC - ORDINANCE 2018-10 AMENDING ORDINANCE 2012-12 PROVIDING AN EXCLUSIVE 5-YEAR FRANCHISE TO ADVANCED DISPOSAL SERVICES STATELINE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR THE COLLECTION AND DISPOSAL OF ALL RESIDENTIAL AND COMMERCIAL TRASH, GARBAGE, AND OTHER REFUSE, AND PROVIDING FOR THE COLLECTION OF RESIDENTIAL RECYCLABLE MATERIALS AND YARD WASTE WITHIN THE CITY LIMITS; FURTHER PROVIDING FOR DEFINITIONS; GRANT OF FRANCHISE; LIMITS OF FRANCHISE; TERM OF FRANCHISE; FRANCHISE CONSIDERATION; ASSIGNMENT; BANKRUPTCY OR INSOLVENCY; DEFAULT; RATE CHANGES; RIGHTS OF FIRST REFUSAL; RESTORATION; COMPLIANCE WITH LAWS; LIABILITY INSURANCE, HOLD HARMLESS, WORKERS COMPENSATION; PERFORMANCE BOND; RIGHT TO REQUIRE PERFORMANCE; DISPUTE RESOLUTION; OPERATIONS DURING DISPUTE; STANDARD OF PERFORMANCE; CURBSIDE RECYCLABLE MATERIALS COLLECTION AND DISPOSAL; RECYCLING PROGRAM; COLLECTION SERVICES AND OPERATIONS; OFFICE AND COLLECTION HOURS; DISPOSAL; ROUTES AND SCHEDULES; GRANTEE PERSONNEL; SPILLAGE AND LITTER; STORMS AND OTHER EMERGENCIES; NONDISCRIMINATION PROVISION; RATES AND CHARGES; BILLING FOR SERVICES; ACCOUNTING, RIGHT TO AUDIT; COMPLAINTS; CHARGES FOR FAILURE OF PERFORMANCE; MISCELLANEOUS SECTION; REPEAL OF SECTIONS IN CONFLICT; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Provides an exclusive 5-year franchise to Advanced Disposal Services Stateline, LLC for the collection and disposal of all residential and commercial trash, garbage, and other refuse; and providing for the collection of residential recyclable materials and yard waste within the City limits.*
- 8.2 **PAY AND CLASSIFICATION PLAN FY 2017/2018 AMENDMENT - ORDINANCE 2018-11 ESTABLISHING AN AMENDED CLASSIFICATION PLAN FOR FISCAL YEAR 2017/2018, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Amends the Pay and Classification Plan for FY 2017/2018.*
- 8.3 ***Legislative* - FUTURE LAND USE MAP AMENDMENT - S. 3RD STREET AND GUM STREET-** ORDINANCE 2018-05 CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO ASSIGN A FUTURE LAND USE MAP CATEGORY OF MIXED USE (MU) FOR PROPERTY TOTALING APPROXIMATELY 2.15 ACRES OF LAND LOCATED ON S. 3RD STREET AND GUM STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Future Land Use Map Category of Mixed Use (MU) to approximately 2.15 acres located on S. 3rd Street and Gum Street.*
- 8.4 ***Quasi-Judicial* - ZONING MAP AMENDMENT - S. 3RD STREET AND GUM STREET-** ORDINANCE 2018-06 CHANGING THE CITY'S ZONING MAP FROM INDUSTRIAL (I-1) AND MEDIUM DENSITY RESIDENTIAL (R-2) TO ASSIGN A ZONING MAP CATEGORY OF MIXED USE (MU-1) FOR PROPERTY TOTALING APPROXIMATELY 2.15 ACRES OF LAND LOCATED ON S. 3RD STREET AND GUM STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Zoning Map Category of Mixed Use (MU) to approximately 2.15 acres located on S. 3rd Street and Gum Street.*

- 8.5 **Legislative - FUTURE LAND USE MAP AMENDMENT - S. 5TH STREET-** ORDINANCE 2018-08 CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO ASSIGN A FUTURE LAND USE MAP CATEGORY OF MIXED USE (MU) FOR PROPERTY TOTALING APPROXIMATELY 0.23 ACRES OF LAND LOCATED ON S. 5TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Future Land Use Map Category of Mixed Use (MU) to approximately 0.23 acres located on S. 5th Street.*
- 8.6 **Quasi-Judicial - ZONING MAP AMENDMENT - S. 5TH STREET-** ORDINANCE 2018-09 CHANGING THE CITY'S ZONING MAP FROM LIGHT INDUSTRIAL (I-1) AND MEDIUM DENSITY RESIDENTIAL (R-2) TO ASSIGN A ZONING MAP CATEGORY OF MIXED USE (MU-1) FOR A PROPERTY TOTALING APPROXIMATELY 0.23 ACRES OF LAND LOCATED ON S. 5TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Zoning Category of Mixed Use (MU-1) Zoning to approximately 0.23 acres located on S. 5th Street.*
- 8.7 **CODE AMENDMENT - JAKE BRAKING -** ORDINANCE 2018-12 AMENDING CHAPTER 42, ARTICLE V, OF THE CODE OF ORDINANCES; AMENDING SECTION 42-141 DEFINITIONS; AMENDING SECTION 42-142 JAKE BRAKING PROHIBITED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 42 of the City Code pertaining to jake braking.*
- 8.8 **CODE AMENDMENT - CONSERVATION AND PRESERVATION OF LAND -** ORDINANCE 2018-13 CREATING ARTICLE VIII, CONSERVATION AND PRESERVATION OF LAND UNDER CHAPTER 42, ENVIRONMENT; CREATING SECTION 42-190 OBJECTIVES; CREATING SECTION 42-191 PURPOSE AND INTENT; CREATING SECTION 42-192 DEFINITIONS; CREATING SECTION 42-193 LAND CONSERVATION TRUST FUND; CREATING SECTION 42-194 ADMINISTRATION; CREATING SECTION 42-195 PROPERTIES ELIGIBLE FOR ACQUISITION AND MANAGEMENT; CREATING SECTION 42-196 CRITERIA FOR EVALUATION OF LANDS; CREATING SECTION 42-197 ACQUISITION LIST; CREATING SECTION 42-198 NOMINATION OF ACQUISITION PROPOSALS; CREATING SECTION 42-199 PROCEDURES FOR SELECTIONS AND PURCHASE PROCEDURES; CREATING SECTION 42-200 MANAGEMENT AND USE OF ENVIRONMENTALLY SENSITIVE LANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 42 of the City Code pertaining to conservation and preservation of land.*
- 8.9 **CODE AMENDMENT - CUSTOMARY USE OF BEACHES AND PUBLIC ACCESS -** ORDINANCE 2018-14 AMENDING CHAPTER 90, ARTICLE II, BEACHES, OF THE CODE OF ORDINANCES; BY CREATING A NEW DIVISION 3 TITLED CUSTOMARY USE OF BEACHES AND PUBLIC ACCESS; CREATING SECTION 90-60 PUBLIC POLICY; CREATING SECTION 90-61 PUBLIC ACCESS PRESERVATION; CREATING SECTION 90-62 PROHIBITING PERSONAL ACCESS OBSTRUCTIONS; CREATING SECTION 90-63 EROSION CONTROL; CREATING SECTION 90-64 PROHIBITING POSTING PROPERTY; CREATING SECTION 90-65 ENFORCEMENT AND VIOLATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 90 of the City Code pertaining to customary use of beaches and public access.*

9. BOARD APPOINTMENT

- 9.1 **FERNANDINA BEACH HOUSING AUTHORITY -** *two appointments.*

10. CITY COMMISSION DISCUSSION / DIRECTION

- 10.1 **MARINA DREDGING / FUTURE OF THE MARINA SOUTHERN BASIN** - *This item is placed on the agenda at the request of Commissioner Ross.*

- 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).