



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
NOVEMBER 7, 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 Executive Director Tommy Davis of First Baptist Church.
4. **PROCLAMATION / PRESENTATION**
 - 4.1 **PROCLAMATION - "NATIONAL AMERICAN INDIAN HERITAGE MONTH"** - *Proclaims the month of November, 2018, as "National American Indian Heritage Month". Chairwoman of the American Indian Committee Ms. Cara Curtin will be present to accept the Proclamation.*
 - 4.2 **PRESENTATION - AYRES ASSOCIATES** - *Mr. Rick Maslyn of Ayres Associates will provide a presentation regarding the Fernandina Harbor Marina Seawall Assessment.*
5. **PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA**
6. **CONSENT AGENDA**
 - 6.1 **BUDGET AMENDMENTS - CAPITAL IMPROVEMENT FUND / CAPITAL EXPANSION FUND - RESOLUTION 2018-160** APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2018/2019; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Transfers funds to the Capital Improvement Fund Main Street Improvements account and the Capital Expansion Fund Operating Supplies account.*
 - 6.2 **BUDGET AMENDMENTS - VARIOUS DEPARTMENTS - RESOLUTION 2018-161** APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2017/2018; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves transfers within respective Departments/Funds for Fiscal Year 2017/2018.*
7. **RESOLUTIONS**

- 7.1 **COMMISSION RULES OF PROCEDURE - RESOLUTION 2018-162 AMENDING THE RULES OF PROCEDURE FOR THE CITY COMMISSION BY CLARIFYING DEADLINES FOR INFORMATION SUBMITTED BY COMMISSIONERS FOR REVIEW AT COMMISSION MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Amends the Commission Rules of Procedure regarding submission of backup materials.*
- 7.2 **LEGISLATIVE PRIORITY RECOMMENDATION AND SUPPORT - RESOLUTION 2018-163 SETTING FORTH LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2018-2019; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURSUE FUNDING FOR LEGISLATIVE PRIORITIES AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Formalizes the City Commission's priorities for the next Florida State Legislative Session.*
- 7.3 **AWARD OF BID #18-23 - BRANCE DIVERSIFIED, INC. - RESOLUTION 2018-164 AUTHORIZING THE AWARD OF BID #18-23 TO BRANCE DIVERSIFIED, INC. FOR PROJECTS ASSOCIATED WITH THE MARINA'S SOUTHERN BASIN AND THE CITY-OWNED STRUCTURE AT 101 N. FRONT STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves the award of Bid #18-23 to Brance Diversified, Inc. in the amount of \$3,199,170.32.*

8. ORDINANCES - FIRST READING

- 8.1 **MASTER FEE SCHEDULE AMENDMENT – SANITATION - ORDINANCE 2018-41 AMENDING THE MASTER FEE SCHEDULE AS RELATED TO SANITATION FOR THE REMAINDER OF FY 2018/2019; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves the amended Master Fee Schedule as related to Sanitation Fees for Fiscal Year 2018/2019.*
- 8.2 **CODE AMENDMENT - CLEANING OF LOTS, MAINTENANCE OF STRUCTURES - ORDINANCE 2018-42 AMENDING CHAPTER 42, ENVIRONMENT, ARTICLE IV, WEEDS AND WILD GROWTH, OF THE CODE OF ORDINANCES; BY AMENDING THE TITLE OF THE ARTICLE TO "CLEANING OF LOTS; MAINTENANCE OF STRUCTURES"; BY AMENDING SECTION 42-116 TO CHANGE HEADING TO "DUTY TO MAINTAIN PROPERTY" AND CLARIFYING DUTY; BY AMENDING SECTION 42-117 TO "EXTERIOR STRUCTURES" AND CLARIFYING DUTY TO MAINTAIN EXTERIOR OF STRUCTURES; BY AMENDING SECTION 42-118 TO CHANGE HEADING TO "COMPONENT SERVICEABILITY" AND REQUIRING COMPONENTS SUPPORTING STRUCTURES TO BE MAINTAINED; BY AMENDING SECTION 42-119 TO CHANGE HEADING TO "RUBBISH AND GARBAGE" AND PROHIBITING ACCUMULATION OF GARBAGE ON EXTERIOR OF STRUCTURES; BY AMENDING SECTION 42-120 TO CHANGE HEADING TO "PEST ELIMINATION" AND REQUIRING ELIMINATION OF PESTS; BY CREATING SECTION 42-121 "VACANT STRUCTURES AND LAND" AND REQUIRING MAINTENANCE OF VACANT LAND; BY CREATING SECTION 42-122 "SWIMMING POOLS" AND REQUIRING POOLS BE MAINTAINED AND SANITARY; BY CREATING SECTION 42-123 "WATER AND ELECTRIC SERVICE" AND REQUIRING STRUCTURES BE CONNECTED; BY CREATING SECTION 42-124 "AUTHORITY TO INSPECT PREMISES" AND PROVIDING FOR CITY INSPECTIONS; BY CREATING SECTION 42-125 "NOTICE TO CORRECT VIOLATIONS" AND PROVIDING FOR NOTICE; BY CREATING SECTION 42-126 "RIGHT TO APPEAL"; BY CREATING SECTION 42-127 BY PROVIDING FOR "IMPOSITION OF LIEN AGAINST PROPERTY BY CITY"; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Makes substantial changes to the Chapter 42, Article IV, of the Code of Ordinances to provide more guidance to property owners and City officials regarding the standards for cleaning of lots and maintenance of structures throughout the City.*

- 8.3 **CODE AMENDMENT - CAMPING ON PUBLIC PROPERTY - ORDINANCE 2018-43** AMENDING CHAPTER 58, OFFENSES, ARTICLE I, IN GENERAL, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 58-9, USE OF RECREATIONAL VEHICLES AS LIVING QUARTERS; EXCEPTIONS; BY ADDING SECTION 58-10, CAMPING PROHIBITED; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 58 of the City Code pertaining to camping on public property except with a City-issued permit.*

9. ORDINANCES - SECOND READING

- 9.1 **CODE AMENDMENT - CEMETERY - ORDINANCE 2018-29** AMENDING CHAPTER 30, CEMETERY, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 30-31, DEFINITIONS; AMENDING SECTION 30-44 TO CLARIFY THAT ITEMS NOT DESCRIBED ARE PROHIBITED AT GRAVES; AMENDING SECTION 30-57 TO PROVIDE FOR CITY REPAIR OF HEADSTONES AND GRAVE MARKERS; AMENDING SECTION 30-106 TO PROHIBIT TREASURE HUNTING AND METAL DETECTING IN THE CEMETERY; AMENDING SECTION 30-109 MEMORIAL AND VAULT INSTALLATIONS BY REQUIRING VAULTS FOR ALL BURIALS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adds language to the City Code related to metal detecting and maintenance of graves.*
- 9.2 **CODE AMENDMENT - PEDDLERS - ORDINANCE 2018-36** AMENDING CHAPTER 26, BUSINESSES, ARTICLE IV, PEDDLERS, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 26-92, EXEMPTIONS FROM PROHIBITION TO CLARIFY THE TERM "OCCASIONAL SALES" AND BY REMOVING PARAGRAPH C; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 26 of the City Code pertaining to peddlers.*

10. BOARD APPOINTMENT

- 10.1 **BOARD OF ADJUSTMENT** - *four appointments.*

11. CITY COMMISSION DISCUSSION / DIRECTION

- 11.1 **CONSERVATION LAND ACQUISITION FUNDING** - *This item is placed on the agenda at the requests of Vice Mayor Kreger and Commissioner Ross.*
- 11.2 **PARKS AND RECREATION IMPACT FEE FUND EXPENDITURES** - *This item is placed on the agenda at the request of Commissioner Ross.*
- 11.3 **DUNE WALKOVER ASSESSMENT, REHABILITATION AND MAINTENANCE** - *This item is placed on the agenda at the request of Commissioner Ross.*
- 11.4 **FLOODPLAIN MANAGEMENT AND PUBLIC SAFETY** - *This item is placed on the agenda at the request of Commissioner Ross.*

12. CITY MANAGER REPORTS

13. CITY ATTORNEY REPORTS

14. CITY CLERK REPORTS

15. MAYOR/COMMISSIONER COMMENTS

16. 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).