



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
DECEMBER 4, 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 James Tippins, Baptist Medical Center Senior Chaplain.

4. PRESENTATION

- 4.1 **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).*

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 Regular Meeting - July 3, 2018; City Commission Regular Meeting - July 17, 2018; City Commission Special Meeting - July 31, 2018; City Commission Regular Meeting - August 7, 2018; City Commission Workshop Meeting - August 13, 2018; City Commission Regular Meeting - August 21, 2018; City Commissioner Special Meeting - September 4, 2018; City Commission Regular Meeting - September 4, 2018; City Commission Special Meeting - September 18, 2018; City Commission Regular Meeting - September 18, 2018; City Commission Workshop - September 25, 2018; and City Commission Regular Meeting - October 2, 2018.*
- 6.2 **AUTHORIZATION TO ENGAGE OUTSIDE LEGAL COUNSEL - POOLE & POOLE, P.A. - RESOLUTION 2018-172 AUTHORIZING THE CITY ATTORNEY TO ENGAGE POOLE & POOLE, P.A. AS ADDITIONAL OUTSIDE LEGAL COUNSEL IN FISCAL YEAR 2018/2019 FOR CONFLICTS AND CODE BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Adds Poole & Poole, P.A. to the approved list of outside legal counsel.*

7. RESOLUTIONS

- 7.1 **AGREEMENT APPROVAL - FLORIDA GREEN FINANCE AUTHORITY - RESOLUTION 2018-173 APPROVING A NON-EXCLUSIVE VOLUNTARY MEMBERSHIP AGREEMENT WITH THE FLORIDA GREEN FINANCE AUTHORITY; AUTHORIZING APPLICATIONS AND LEVY OF ASSESSMENTS; PROVIDING FOR AUTHORIZATION OF CITY OFFICIALS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves a non-exclusive voluntary membership agreement with the Florida Green Finance Authority.*

- 7.2 **DEED OF DEDICATION - THOMAS E. RAY AND ANN V. SHUMAN - RESOLUTION 2018-174** ACCEPTING A DEED OF DEDICATION FROM THOMAS E. RAY AND ANN V. SHUMAN FOR 1.0 ACRE OF LAND TO BE USED ONLY FOR PUBLIC CONSERVATION; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts a Deed of Dedication for land on Robert Oliver Avenue to be used exclusively for conservation.*
- 7.3 **DEED OF DEDICATION - RAYONIER PERFORMANCE FIBERS, LLC - RESOLUTION 2018-175** ACCEPTING A QUITCLAIM DEED FOR PROPERTY OWNED BY RAYONIER PERFORMANCE FIBERS, LLC FOR DEDICATION TO THE CITY FOR THE PURPOSE OF CONSERVATION AND RECREATION; RECOGNIZING RAYONIER PERFORMANCE FIBERS, LLC FOR ITS CONTRIBUTION TO CONSERVATION AND RECREATION; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts a quitclaim deed for two parcels of property currently owned by Rayonier Performance Fibers, LLC.*
- 7.4 **HEADCOUNT INCREASE / BUDGET AMENDMENTS - MARINA - RESOLUTION 2018-176** APPROVING THE ADDITION OF ONE SEASONAL/TEMPORARY POSITION, INCREASING THE CITY'S FULL TIME HEADCOUNT TOTAL BY ONE; APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2018/2019; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves increasing the budgeted headcount by one seasonal/temporary position and approves a budget transfer of \$88,450 for salary and wages associated with the costs of a Project Manager during the construction phase which is currently budgeted in the Marina Building account.*
- 7.5 **LEASE AGREEMENT - AMELIA RIVER EXCURSIONS, INC. - RESOLUTION 2018-177** APPROVING A FIVE-YEAR LEASE AGREEMENT BETWEEN AMELIA RIVER EXCURSIONS, INC. AND THE CITY OF FERNANDINA BEACH FOR PERMANENT SLIPS AND LAND FOR A TICKET KIOSK AT THE FERNANDINA BEACH HARBOR MARINA; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a lease agreement with Amelia River Excursions, Inc. at the Fernandina Beach Harbor Marina.*
- 7.6 **LEASE AGREEMENT - FLORIDA INLAND NAVIGATION DISTRICT - RESOLUTION 2018-178** APPROVING THE LEASE AGREEMENT BETWEEN FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF FERNANDINA BEACH; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a lease agreement with FIND to use a parcel of land for processing dredging material.*

8. ORDINANCES - SECOND 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. **CITY COMMISSION DISCUSSION / DIRECTION**

9.1 **FACILITY RENTAL FEE WAIVER - DR. MARTIN LUTHER KING JR. RECREATION CENTER -** *This item is placed on the agenda at the request of Mayor Miller.*

9.2 **UTILIZE MONETARY FINES COLLECTED BY THE CODE ENFORCEMENT AND APPEALS BOARD TO FUND THE ACQUISITION OF CONSERVATION LANDS -** *This item is placed on the agenda at the request of Commissioner Chapman.*

10. **CITY MANAGER REPORTS**

11. **CITY ATTORNEY REPORTS**

12. **CITY CLERK REPORTS**

13. **MAYOR/COMMISSIONER COMMENTS**

14. **ADJOURNMENT**

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

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).