AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
MAY 7, 2019
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 Noel Roberts of North 14th Street Baptist Church.

4. PROCLAMATIONS / PRESENTATION

4.1 **PROCLAMATION - "NEUROFIBROMATOSIS (NF) AWARENESS MONTH"** - *Recognizes the month of May, 2019, as, "Neurofibromatosis (NF) Awareness Month." Ms. Betsie Huben and members of the Children's Tumor Foundation will be present to accept the Proclamation.*

4.2 **PROCLAMATION - "MENTAL HEALTH FIRST AID MONTH"** - *Recognizes May, 2019, as "Mental Health First Aid Month." Starting Point Behavioral Healthcare Community Liaison/Mental Health First Aid Instructor Ms. Katrina Robinson-Wheeler will be in attendance to accept the Proclamation.*

4.3 **PROCLAMATION - "NATIONAL PRESERVATION MONTH" -** *Recognizes the month of May 2019, as, "National Preservation Month." Fernandina Beach Main Street Executive Director Ms. Arlene Filkoff, Amelia Island Restoration Foundation President Mr. Adam Kaufman, Amelia Island Museum of History Executive Director Ms. Phyllis Davis, Historic District Council Chairman Mr. Michael Spino and Planning and Conservation Department Preservation Planner Mr. Salvatore Cumella will be present to accept the Proclamation.*

4.4 **PROCLAMATION - "PEACE OFFICERS MEMORIAL DAY" AND "NATIONAL POLICE WEEK"** - *Proclaims May 15, 2019, as "Peace Officers Memorial Day" and the week of May 12, 2019, as "National Police Week." Chief James T. Hurley will be present to accept the Proclamation.*

4.5 **PRESENTATION - NASSAU HUMANE SOCIETY** - *Representatives of the Nassau Humane Society will present the "City Commission Dog of the Month."*

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 - January 22, 2019; City Commission Visioning Workshop - January 29, 2019; City Commission Visioning Workshop - February 9, 2019 and City Commission Regular Meeting - February 19, 2019.*

6.2 **BUDGET AMENDMENTS - GOLF COURSE -** RESOLUTION 2019-69 APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2018/2019; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a transfer from the Golf Course Operating Supplies account ($9,300) to Golf Course Training/Travel account ($5,800) and R&M Building and Grounds account ($3,500). Also, a transfer from the Golf Course Contractual account ($10,402) to the Golf Course R&M Equipment account ($10,000) and the Janitorial account ($402).*

7. RESOLUTIONS

7.1 **SETTLEMENT AGREEMENT AND GENERAL RELEASE - VRL ARCHITECTS, INC. -** RESOLUTION 2019-48 APPROVING A SETTLEMENT AGREEMENT AND GENERAL RELEASE WITH VRL ARCHITECTS, INC. IN THE AMOUNT OF $32,716.77 AS REIMBURSEMENT TO THE CITY FOR LIBRARY ROOF REPAIRS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Settlement Agreement and General Release with VRL Architects, Inc. pertaining to Library roof repairs.*

7.2 **AWARD OF RFP #2019-01 - FIRST FEDERAL BANK** - RESOLUTION 2019-70 ADOPTING THE RECOMMENDATION OF THE BANKING SERVICES COMMITTEE; AWARDING RFP #2019-01 TO FIRST FEDERAL BANK TO PROVIDE BANKING SERVICES; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts the recommendation of the Evaluation Committee and awards RFP #2019-01 to First Federal Bank as the City's banking services provider.*

7.3 **EQUIPMENT PURCHASE APPROVAL / BUDGET AMENDMENT - STORMWATER -** RESOLUTION 2019-71 APPROVING AN AMENDMENT TO THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2018/2019; APPROVING THE PURCHASE OF A CATERPILLAR 305.5 MINI-EXCAVATOR OR EQUIVALENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the purchase of a Caterpillar 305.5 mini-excavator or equivalent in an amount not to exceed $70,000 and a transfer of $70,000 from the Stormwater Land account to the Stormwater Machinery/Equipment account for this purchase.*

7.4 **BUDGET AMENDMENT - CAPITAL EXPANSION FUND -** RESOLUTION 2019-72 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2018/2019; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a budget transfer in the Capital Expansion Fund (310) for the implementation of wayfinding signage in the downtown area in the amount of $182,000 from the Capital Expansion Fund, Public Facilities Reserve account to the Capital Expansion Fund, Main Street Improvements account.*

7.5 **MUTUAL AID AGREEMENT AMENDMENT - NASSAU COUNTY SHERIFF'S OFFICE -** RESOLUTION 2019-73 AUTHORIZING AN AMENDMENT TO THE COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE NASSAU COUNTY SHERIFF'S OFFICE; AUTHORIZING EXECUTION; PROVIDING FOR FILING OF THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the First Amendment to the Mutual Aid Agreement between the Fernandina Beach Police Department and the Nassau County Sheriff's Office to include a narcotics task force.*

7.6 **BUDGET AMENDMENT - PARKS AND RECREATION IMPACT FEES -** RESOLUTION 2019-74 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2018/2019; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a budget amendment allocating $400,000 for the Simmons Road Park in the Parks and Recreation Impact Fee Fund.*

7.7 **MEMORANDUM OF UNDERSTANDING - FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION / BUDGET AMENDMENT - FIRE DEPARTMENT / VEHICLE PURCHASE APPROVAL** - RESOLUTION 2019-75 ACCEPTING A GRANT AWARD FROM THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION FOR THE PURCHASE OF A MEDICAL EMERGENCY RESPONSE VEHICLE (MERV); APPROVING THE PURCHASE OF A POLARIS MERV FOR THE FIRE DEPARTMENT IN FY 2018/2019; APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2018/2019; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the acceptance of a grant from Firehouse Subs Public Safety Foundation for the Fire Department in the amount of $26,113.78 for the purchase of one Polaris Medical Emergency Response Vehicle equipped for medical and fire emergency response. Approves the purchase of a Polaris MERV. Also approves amending the budget by increasing the Fire Department Donations account and increasing Mach/Equip account, both by $26,113.78, the amount of the grant funding. This amendment will also increase the total City Budget for Fiscal Year 2018/2019 to $156,710,614.*

7.8 **SOLE SOURCE VENDOR APPROVAL - SWAGIT PRODUCTIONS, LLC -** RESOLUTION 2019-76 APPROVING SWAGIT PRODUCTIONS LLC AS A SOLE SOURCE VENDOR FOR CLOSED CAPTIONING SOLUTIONS FOR RECORDED COMMISSION AND BOARD MEETINGS; APPROVING A PROPOSAL FOR HARDWARE UPGRADES AND INSTALLATION FROM SWAGIT PRODUCTIONS, LLC; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Swagit Productions, LLC as a sole source vendor for hardware upgrades/installation necessary for live closed captioning for City live streamed meetings in an amount not to exceed $36,930.*

8. ORDINANCE - FIRST READING

8.1 **CODE AMENDMENT - HUMAN RELATIONS -** ORDINANCE 2019-10 AMENDING CHAPTER 54, HUMAN RELATIONS, CREATING SECTION 54-1 DEFINITIONS; CREATING SECTION 54-36 PURPOSE; CREATING SECTION 54-37 PROHIBITED CONDUCT; CREATING SECTION 54-38 COMPLAINTS; CREATING SECTION 54-39 EXEMPTIONS; CREATING SECTION 54-40 CRIMINAL ACTS; CREATING SECTION 54-41 FALSE CLAIMS; AMENDING SECTION 54-52 DECLARATION OF POLICY, OBJECTIVES; AMENDING SECTION 54-54 PROHIBITED CONDUCT; AMENDING SECTION 54-55 MULTIPLE LISTING SERVICES; AMENDING SECTION 54-56 EDUCATIONAL ACTIVITIES; AMENDING SECTION 54-57 COMPLAINTS; AMENDING SECTION 54-58 USE OF REMEDIES OF THIS CHAPTER, OTHER REMEDIES; AMENDING SECTION 54-59 DISCRIMINATION IN THE FINANCING OF HOUSING; AMENDING SECTION 54-60 EXEMPTIONS; AMENDING SECTION 54-61 INTERFERENCE, COERCION, OR INTIMIDATION; ENFORCEMENT BY CIVIL ACTION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 54 of the City Code pertaining to Human Relations.*

9. ORDINANCE - SECOND READING

9.1 **CODE AMENDMENT - BEACH PARKING HOURS -** ORDINANCE 2019-09 AMENDING CHAPTER 90, ARTICLE II, BEACHES, OF THE CODE OF ORDINANCES; AMENDING SECTION 90-48 TRAFFIC REGULATIONS; SPEED LIMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 90 of the City Code by prohibiting beach parking from 9:00 p.m. to 6:00 a.m.*

10. ORDINANCE - THIRD READING

10.1 **LAND DEVELOPMENT CODE (LDC) AMENDMENT - ACCESSORY DWELLING UNITS FOR RENT -** ORDINANCE 2018-40 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY AMENDING SECTIONS 1.07.00 (DEFINITIONS); 2.03.02 (TABLE OF LAND USES); 5.01.03 (ACCESSORY STRUCTURES); 5.01.04 (ACCESSORY DWELLING UNITS); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to address requirements for accessory dwelling units.*

11. BOARD APPOINTMENT

11.1 **PARKS AND RECREATION ADVISORY COMMITTEE -** *one appointment.*

12. CITY COMMISSION DISCUSSION

12.1 **WATERFRONT PARK DEVELOPMENT -** *This item is placed on the agenda at the request of Commissioner Lednovich.*

12.2 **LAND CONSERVATION -** *This item is placed on the agenda at the request of Commissioner Lednovich.*

12.3 **PECK CENTER LIBRARY NAMING -** *This item is placed on the agenda at the request of Mayor Miller.*

12.4 **OCEAN HIGHWAY AND PORT AUTHORITY (OHPA) -** *This item is placed on the agenda at the request of Commissioner Ross.*

12.5 **MAINTENANCE MANAGEMENT -** *This item is placed on the agenda at the request of Vice Mayor Kreger.*

12.6 **AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY AT MAIN BEACH, NORTH BEACH PARK AND SEASIDE PARK -** *This item is placed on the agenda at the request of Vice Mayor Kreger.*

12.7 **SEPTIC SYSTEM REMEDIATION -** *This item is placed on the agenda at the request of Vice Mayor Kreger.*

12.8 **NATIONAL COASTAL RESILIENCY FUND / INCREASING THE NATION'S NATURAL DEFENSES -** *This item is placed on the agenda at the request of Vice Mayor Kreger.*

13. CITY MANAGER REPORTS

14. CITY ATTORNEY REPORTS

15. CITY CLERK REPORTS

16. MAYOR/COMMISSIONER COMMENTS

17. 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).