



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
AUGUST 6, 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 Anthony Daniel of Macedonia AME Church.

4. PRESENTATIONS

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

4.2 **PRESENTATION – OCEAN HIGHWAY AND PORT AUTHORITY** – *A representative of the Ocean Highway and Port Authority (OHPA) will present the annual Payment In Lieu of Taxes (PILOT) payment to the City Commission for Fiscal Year 2018/2019.*

4.3 **PRESENTATION - UNITED STATES ARMY CORPS OF ENGINEERS** - *Representatives of the United States Army Corps of Engineers will provide a presentation regarding Dune Resiliency. This item is placed on the agenda at the request of Vice Mayor Kreger.*

4.4 **PRESENTATION - STANTEC** - *Stantec will present the results of the Financial Sustainability Analysis for the General Fund, Golf Fund and the Marina Fund.*

4.5 **PRESENTATION - REFORESTATION PLAN** - *City Arborist Dave Holley will provide a presentation regarding a Reforestation Plan.*

4.6 **PRESENTATION - WATERFRONT CONCEPT** - *City Manager Martin will provide a presentation regarding a proposed Waterfront Concept.*

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 - May 7, 2019; City Commission Special Meeting - May 14, 2019 and City Commission Regular Meeting - May 21, 2019.*

- 6.2 **VOLUNTARY ANNEXATION AGREEMENT - 1417 ROBIN HOOD DRIVE - RESOLUTION 2019-120** APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.20 ACRES OF LAND LOCATED AT 1417 ROBIN HOOD DRIVE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property located on 1417 Robin Hood Drive (Parcel Identification #00-00-30-0640-0029-0000). Also approves the Voluntary Annexation Petition.*
- 6.3 **VOLUNTARY ANNEXATION AGREEMENT - 1482 ROBIN HOOD DRIVE - RESOLUTION 2019-121** APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.29 ACRES OF LAND LOCATED AT 1482 ROBIN HOOD DRIVE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property located on 1482 Robin Hood Drive (Parcel Identification #00-00-30-0640-0051-0000). Also approves the Voluntary Annexation Petition.*
- 6.4 **VOLUNTARY ANNEXATION AGREEMENT - 1401 FOUNTAIN DRIVE - RESOLUTION 2019-122** APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 1.44 ACRES OF LAND LOCATED AT 1401 FOUNTAIN DRIVE; PROVIDING FOR EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property located on 1401 Fountain Drive (Parcel Identification #00-00-30-0254-0002-0000). Also approves the Voluntary Annexation Petition.*
- 6.5 **FACILITIES USE AGREEMENT - ISLE SWIM CLUB, LLC - RESOLUTION 2019-123** APPROVING THE FACILITIES USE AGREEMENT FOR SPORTS LEAGUES BETWEEN ISLE SWIM CLUB, LLC AND THE CITY OF FERNANDINA BEACH FOR THE USE OF THE ATLANTIC RECREATION CENTER POOL AND DR. MARTIN LUTHER KING JR. RECREATION CENTER POOL; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Facilities Use Agreement for Sports Leagues with Isle Swim Club, LLC.*

7. RESOLUTIONS

- 7.1 **BUDGET AMENDMENT - STORMWATER - RESOLUTION 2019-124** APPROVING AN AMENDMENT TO THE STORMWATER FUND BUDGET FOR FISCAL YEAR 2018/2019; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer from the Stormwater Professional Services account to the Stormwater Contractual account.*
- 7.2 **BUDGET AMENDMENT - AIRPORT - RESOLUTION 2019-125** APPROVING AN AMENDMENT TO THE AIRPORT BUDGET IN FISCAL YEAR 2018/2019; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a budget amendment to increase the Airport Professional Services account in the amount of \$16,000 by transferring funds from the Airport Reserve account.*

- 7.3 **WORK ORDER 19-89 - PASSERO ASSOCIATES, LLC - RESOLUTION 2019-126** APPROVING WORK ORDER 19-89 WITH PASSERO ASSOCIATES, LLC TO PROVIDE DESIGN PHASE SERVICES AT THE FERNANDINA BEACH MUNICIPAL AIRPORT FOR REHABILITATION OF RUNWAY 4/22; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Work Order 19-89 with Passero Associates, LLC, in the not-to-exceed amount of \$165,000, to provide design and bid assistance associated with rehabilitation of Runway 4/22 at the Fernandina Beach Municipal Airport.*
- 7.4 **GRANT APPROVAL - FEDERAL AVIATION ADMINISTRATION (FAA) - RESOLUTION 2019-127** AUTHORIZING AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT AGREEMENT #3-12-0022-028-2019 WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR DESIGN OF REHABILITATION OF RUNWAY 4/22 PAVEMENT, LIGHTING, AND DRAINAGE AT THE FERNANDINA BEACH MUNICIPAL AIRPORT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes FAA grant agreement # 3-12-0022-028-2019 for the rehabilitation of Runway 4/22 pavement, lighting, and drainage.*
- 7.5 **IMPACT FEE WITHHOLDING - NASSAU HABITAT FOR HUMANITY - RESOLUTION 2019-128** WITHHOLDING THE COLLECTION OF CITY ASSESSED IMPACT FEES FOR NASSAU HABITAT FOR HUMANITY, INC. FOR THE CONSTRUCTION OF ONE AFFORDABLE HOUSING UNIT LOCATED AT 601 CALHOUN STREET; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Nassau Habitat for Humanity, Inc.'s application to withhold collection of City Impact Fees for Parks & Recreation, Public Facilities, Police and Fire, totaling \$4,623.84 for the unit located at 601 Calhoun Street.*
- 7.6 **OUTSIDE LEGAL COUNSEL - JACOBS SCHOLZ & WYLER, LLC. - RESOLUTION 2019-129** AUTHORIZING QUALIFIED OUTSIDE LEGAL COUNSEL TO REPRESENT THE CITY IN MATTERS RELATED TO EMINENT DOMAIN ACTION; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the City Attorney and City Manager to utilize the services of Jacobs Scholz & Wyler, LLC. to represent the City in an eminent domain action.*
- 7.7 **ESTABLISHING A CHARTER REVIEW COMMITTEE - RESOLUTION 2019-130** ESTABLISHING AN AD HOC CHARTER REVIEW COMMITTEE TO REVIEW THE EXISTING CHARTER OF THE CITY, AND RECOMMEND CHANGES TO THE CITY COMMISSION, PROVIDING FOR GOALS, WORK PLAN, ORGANIZATION, CONDUCT OF BUSINESS AND STAFF SUPPORT; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Creates an ad hoc committee for Charter review.*

8. ORDINANCE - FIRST READING

- 8.1 **CODE AMENDMENT - BALLOON RELEASE PROHIBITION - ORDINANCE 2019-19** AMENDING THE CODE OF ORDINANCES, CHAPTER 42, ARTICLE III, LITTER, BY CREATING SECTION 42-96 BY PROVIDING FOR PROHIBITION AGAINST BALLOON RELEASES WITH BALLOONS INFLATED WITH A GAS LIGHTER THAN AIR SUCH AS HELIUM; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the City Code of Ordinances pertaining to the prohibition of balloon releases.*

9. ORDINANCES - SECOND READING

9.1 **CHARTER AMENDMENT - CONSERVATION REFERENDUM - ORDINANCE 2019-15** SUBMITTING TO THE CITY ELECTORS PROPOSED AMENDMENTS TO THE CHARTER WHICH AMEND SECTION 10A TO ADD PROVISIONS TO THE CITY CHARTER REQUIRING REFERENDUM ELECTION FOR SALE OR LEASE OF CITY-OWNED CONSERVATION LAND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Section 10A of the City Charter to add a provision that requires a referendum for sale or lease of City-owned conservation land.*

9.2 **LAND DEVELOPMENT CODE AMENDMENT - AIRPORT DESIGN STANDARDS - ORDINANCE 2019-16** AMENDING THE LAND DEVELOPMENT CODE (LDC) TO INCORPORATE AMENDED AIRPORT DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to Airport Design Standards.*

10. BOARD APPOINTMENTS

10.1 **HISTORIC DISTRICT COUNCIL** - *one appointment.*

10.2 **GOLF COURSE ADVISORY BOARD** - *one appointment.*

10.3 **ARTS AND CULTURE NASSAU** - *two appointments.*

11. CITY COMMISSION DISCUSSION

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

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

11.3 **HABITAT CONSERVATION PLAN** - *This item is placed on the agenda at the request of Vice Mayor Kreger.*

11.4 **CITY COMMISSION RULES OF PROCEDURE AMENDMENT - PUBLIC COMMENT** - *This item is placed on the agenda at the request of Vice Mayor Kreger.*

12. CITY MANAGER REPORTS

13. CITY ATTORNEY REPORTS

14. CITY CLERK REPORTS

15. MAYOR/COMMISSIONER COMMENTS

16. 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).