



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
OCTOBER 19, 2021
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 Shad Goltz of First Baptist Church.

4. PRESENTATION

4.1 **BUDGET SUMMARY** - *Comptroller Pauline Testagrose will answer any questions regarding the preliminary budget summary for September 2021.*

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 - September 21, 2021; City Commission Special Meeting & Public Hearing - September 21, 2021; and the City Commission Regular Meeting - September 21, 2021.*

6.2 **SCRIVENER'S CORRECTION - SOLE SOURCE VENDOR APPROVAL - ALLIED UNIVERSAL CORP.** - RESOLUTION 2021-147 APPROVING ALLIED UNIVERSAL CORP. AS THE SOLE SOURCE VENDOR FOR CHLORINE GAS AND SULFUR DIOXIDE FOR FISCAL YEAR ~~2020/2021~~ 2021/2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Allied Universal Corp. as the sole source vendor for Fiscal Year 2021/2022 in an amount not to exceed \$50,000.*

6.3 **FACILITIES USE AGREEMENT - BENDIX COMMERCIAL VEHICLE SYSTEMS, LLC** - RESOLUTION 2021-170 APPROVING A FACILITIES USE AGREEMENT WITH BENDIX COMMERCIAL VEHICLE SYSTEMS, LLC FOR THE USE OF AIRPORT PROPERTY TO CONDUCT A DEMONSTRATION OF SLOW SPEED SAFETY SYSTEMS ON COMMERCIAL/HEAVY DUTY TRUCKS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Facilities Use Agreement with Bendix Commercial Vehicle Systems, LLC for commercial vehicle demonstrations at the Fernandina Beach Municipal Airport.*

7. RESOLUTIONS

- 7.1 **VOLUNTARY ANNEXATION AGREEMENT - 875 CASHEN DRIVE, 2113 S. 14TH STREET, 2163 S. 14TH STREET** - RESOLUTION 2021-171 APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.94 ACRES OF LAND LOCATED AT 875 CASHEN DRIVE, 2113 S. 14TH STREET, AND 2163 S. 14TH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property owners identified, whose property is located at 875 Cashen Drive, 2113 S. 14th Street, and 2163 S. 14th Street: Parcel Number: 00-00-30-0170-0013-0000 and also approves the Voluntary Annexation Petition.*
- 7.2 **BUDGET AMENDMENTS - VARIOUS DEPARTMENTS** - RESOLUTION 2021-172 APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2020/2021; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of funds in various departments and various accounts in the FY 2020/2021 budget to ensure expenditures do not exceed the budget on a line-by-line basis.*
- 7.3 **AWARD OF RFQ 21-01 - CONSULTANTS' COMPETITIVE NEGOTIATION ACT** - RESOLUTION 2021-173 APPROVING A LIST QUALIFIED PROFESSIONAL SERVICE FIRMS IN ACCORDANCE WITH THE STATE OF FLORIDA CONSULTANTS' COMPETITIVE NEGOTIATION ACT; AUTHORIZING THREE-YEAR CONTRACTS WITH EACH FIRM UTILIZING THE CITY'S STANDARD PROFESSIONAL SERVICES CONTRACT FORM; AND PROVIDING FOR AN EFFECTIVE DATE. *Authorizing approval for a three-year contract with the list of professional service consultants in accordance with the State of Florida's Consultants' Competitive Negotiation Act.*
- 7.4 **SETTLEMENT AGREEMENT - O'STEEN COMPANY, LLP** - RESOLUTION 2021-174 APPROVING A SETTLEMENT AGREEMENT FOR ATTORNEYS' FEES IN THE MATTER OF CITY OF FERNANDINA BEACH V. O'STEEN COMPANY, LLP, RICHARD S. SIMMONS AND PAMELA O. SIMMONS IN THE AMOUNT OF \$47,500; AUTHORIZING EXECUTION; APPROVING A BUDGET TRANSFER; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Settlement Agreement for attorney's fees in the amount of \$47,500 in the matter of City of Fernandina Beach v. O'steen Company, Case 2020-CA-0146 and a budget amendment.*

8. BOARD APPOINTMENTS

- 8.1 **GENERAL EMPLOYEES' PENSION PLAN** - *Two appointments*

9. CITY MANAGER REPORTS

10. CITY ATTORNEY REPORTS

11. CITY CLERK REPORTS

12. MAYOR/COMMISSIONER COMMENTS

13. 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.
- MULTI-MEDIA PRESENTATIONS MUST BE SUBMITTED TO THE CITY CLERK NO LATER THAN THE FRIDAY BEFORE THE MEETING.
- 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.
- AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.

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).