



**AGENDA
FERNANDINA BEACH CITY COMMISSION
WORKSHOP
MARCH 1, 2022
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - 3.1 **BOND REFERENDUM** - Staff will present options for a potential bond referendum. *This item is placed on the agenda at the direction of the Commission at the Goal-Setting Workshop.*
 - 3.2 **AMELIA RIVER RESILIENCY PLAN NEXT STEPS** - *This item is placed on the agenda at the request of Commissioner Ross.*
 - 3.3 **ADVISORY BOARD REVIEW** - *This item is placed on the agenda at the request of Commissioner Ross.*
- 4. ADJOURNMENT**

ANY PERSON WISHING TO APPEAL ANY 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).

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Discussion
Bond Referendum

ITEM TYPE: Discussion

REQUESTED ACTION: NA

SYNOPSIS: At its January 26, 2022, Goal-Setting Workshop, the Commission directed staff to prepare a list of potential project options to present for bond referendum.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager 2/21/2022

Date: January 26, 2022

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION:

Waterfront Stabilization Project

Project will consist of completing the Amelia River Waterfront Stabilization design and construction from the southern end of the project at the Rayonier site to parking Lot D and from the existing boat ramp north of parking Lot C to the City's Vituro property. The work to be performed will involve the planning, design, permitting, and construction. Critical components of the construction phases of the project will involve resolution of the Brett's Waterway Café location and the adjustment of the resiliency wall to accommodate the exclusion of the Simmons property north of parking Lot A.

This project consists of only the resiliency work and does not include the development of the interior property aspects of the waterfront

CITY OF FERNANDINA BEACH
PRELIMINARY BUDGETARY OPINION OF PROBABLE COST

DESCRIPTION: RESILIENCY BULKHEAD NORTH OF LOTS C & D

Prepared By: CLG	12/22/2021
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12/22/2021

[illegible]

CLARIFICATIONS/ASSUMPTIONS: Quantities and unit prices shown are preliminary based on concept and details

Downtown Revitalization Project

Project will consist of the renovation and revitalization of the downstreet districts streetscape and infrastructure. The area to be renovated extends from Front Street to 8th Street and from Ash Street to Alachua Street and involves sidewalk replacement and upgrade, new landscaping and irrigation, lighting, street re-surfacing, new signage, and utility upgrades.

CITY OF FERNANDINA BEACH
PRELIMINARY BUDGETARY OPINION OF PROBABLE COST

DESCRIPTION: DOWNTOWN REVITALIZATION

Prepared By: CLG
12/22/2021

12/22/2021

[illegible]

CLARIFICATIONS/ASSUMPTIONS: Quantities and unit prices shown are preliminary based on concept and details

City Hall Renovation Project

The existing City Hall building has incurred numerous renovations and alterations throughout the last hundred years and due to deferred major maintenance continues to exhibit deterioration to an extent that its serviceable life is compromised and has created several issues relating to life safety and code compliance.

Significant renovations and upgrades are required to provide continual use of the building for City Services including, but not limited to, structural repairs, accessibility, air and energy quality upgrades, weatherproofing and interior/exterior finishings. While this project involves the repair and renovation to the existing City Hall Building, the intent is to adapt these renovations and/or project scope based on the City's consultant's, Silling Architects, final recommendations.

CITY OF FERNANDINA BEACH
PRELIMINARY BUDGETARY OPINION OF PROBABLE COST

DESCRIPTION: CITY HALL RENOVATIONS

Prepared By: CLG	2/22/2022
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2/22/2022

[illegible]

CLARIFICATIONS/ASSUMPTIONS: Quantities and unit prices shown are preliminary based on concept and details

Walking Trails/ Pedestrian Accessibility Project

There is a growing desire in the City to improve the walkability and access for pedestrians and cyclists within the downtown corridors. Installation of sidewalks/trails connecting neighborhoods and commercial activities primarily along the City-owned 14th Street right-of-way and adjacent streets such as Beech Street to the downtown area are needed to improve pedestrian access.

This project would encompass many of the features outlined in the Downtown Revitalization Project Scope such as sidewalks that would allow incorporating together to combine available funding.

The City Commission of the City of Fernandina Beach, Florida, met in a Goal Setting Workshop on Wednesday, January 26, 2022, at 8:00 AM at the Fernandina Beach Municipal Golf Course. Present were Mayor Michael A. Lednovich presiding, Vice Mayor Len Kreger, Commissioners Bradley A. Bean, Chip Ross, and David Sturges. Also in attendance were City Clerk Caroline Best, City Attorney Tammi Bach, and City Manager Dale Martin.

Mayor Lednovich called the meeting to order, and Vice Mayor Kreger led the Pledge of Allegiance to the Flag.

5. REVIEW GOALS: Biz Help Consulting owner Ms. Cindy Jacoby facilitated discussion regarding goals and recent successes which Commissioners identified as: passing a sound ordinance; preservation of e-bike usage on Egan's Creek Greenway; mask mandate removal; grants obtained for beach walkovers and beach habitat preservation; waterfront infrastructure underway; Brett's Waterway Café deck assessment; rollback rate adopted; A-5 stormwater project; Charter revisions; accessory dwelling units; Main Beach board walk completed; no variance for height restriction at the Beach; no variance to fill wetlands; Charter changes that prevent the sale of recreation or conservation land; removing trash cans from the beach and providing new trash receptacles at beach accesses; Peck Center funding and preservation; obtaining Tourist Development Council funding for beach cleaning; rebuilding the Marina; securing new Marina management; sidewalk installed on the east side of the railroad tracks between Ash and Center Streets; funding in place for Front Street utilities to go underground; funding and getting ready construct storm water protection on Ash and Alachua Streets; agreement with the railroad to open, design; funding in place to build the Alachua Street crossing, designing; funding and building for flood protection and river walk at parking lots C & D; designing, funding and getting ready to build the intersections at Front Street and Center and Ash Streets; approval to move the channel.

6. WAGES: Human Resources Director Denise Matson gave a presentation identifying issues associated with recruiting and retaining City staff in today's job market. She explained no adjustments to salary ranges have been made in over thirteen years. Turnover from 2018-2020 exceeded twenty percent with most reasons for leaving involving pay, in the last fiscal year, the rate increased to twenty-seven percent. In comparison, the state average turnover is ten percent. The average length of service for those employees leaving the City is less than three years.

Ms. Matson explained the Covid-19 pandemic significantly altered the labor market. The state unemployment rate reported in December 2021 was 3.9 percent. Because of the City's inability to offer competitive salaries, vacant positions are advertised for weeks or months until they can be filled. She presented a 5-tiered action plan that the City is pursuing to address personnel issues. Tiers 1 and 2 have already been implemented: raising the minimum wage last October to \$15/hour and effective January 1, 2022, adjusting salaries of employees who serve critical needs to support City operations (Maintenance Technicians, Mechanics, Heavy Equipment Operators, Water and Wastewater Plant Operators). The remaining tiers require action by the Commission, including revising the Pay and Classification Plan effective April 1 for all employees, except Directors.

Commissioner Ross supports the tiered plan but expressed reservations due to the estimated \$2,000,000 from the General Fund to pay for wage adjustments. Vice Mayor Kreger stated the City must remain competitive and supports looking at Director salaries. ***The Commission collectively agreed to support measures to raise the City budget by \$2M in 2022/2023 which will be voted on their February 15, 2022, Regular Meeting.*** Mayor Lednovich concluded the discussion by stating, "This goal will be funded."

7.1 GENERAL OBLIGATION BOND CONSIDERATIONS: City Manager Dale Martin explained there is not enough money in the budget to fund all the City's capital needs. He reminded Commissioners that in the past they discussed issuing a General Obligation Bond (GOB) to at least fund some of the identified needs ranging from beach walkovers to streets to waterfront resiliency. The three biggest groupings of needs: completion of the Amelia River seawall and associated pedestrian walkways (\$20M est.); rejuvenating and repairing downtown infrastructure, to include sidewalks, lighting, landscaping (\$20M est.); and replacing or repairing City Facilities (\$20M est.). Commissioner Bean also added trails to the list.

Commissioners agreed on the need to continue investigating the mechanics and implications of bonding. Consensus was that any bond should not exceed \$25M. City Staff was tasked to develop hard estimates for

elements included in the three major groupings of needs to allow the Commission to select which projects would be covered by money raised via the GOB.

Referred to as the “Smorgasbord of capital needs,” this information will be provided to the Commission in March at which time Commissioners will select which projects, if any, should be funded via bonding. ***Commission consensus was to direct staff an itemized list of improvements and their costs from all three areas: City assets, downtown improvements, seawall, and resiliency by March 1, 2022***

Should the Commission decide to go forward with a GOB, their recommendation to do so would go before the voters on a referendum, probably this November. City Attorney Tammi Bach reminded Commissioners that should they decide to proceed with a voter referendum, the City is prohibited from advocating for or against its passage. Any lobbying on the referendum’s behalf must be conducted by individuals or outside groups.

Language for the proposed bond question must be received by the Nassau County Supervisor of Elections by July 19 to appear on the November ballot.

7.2 AMERICAN RESCUE PLAN FUNDING: City Manager Martin noted the availability of approximately \$6.5M for capital improvements under the American Rescue Plan (ARP). The City has committed \$4.1M of that to water and wastewater improvements, but the remainder has not yet been committed. City Manager Martin advised Commissioners that the Treasury Department has issued new rulings that give localities greater flexibility in spending that money.

8. LUNCH BREAK: 11:45AM – 1:00 PM

9. WATERFRONT: Commissioners discussed the need, if any, for a waterfront plan, whether commercial activities should be allowed in the proposed park, and the future of Atlantic Seafood. Discussion ensued regarding the previously first approved then disapproved waterfront park plan. ***Consensus was that neither City residents nor the Commission desire any new commercial development in what will be the park area south of the boat ramp.***

The exception was Atlantic Seafood, which must move to make way for the new seawall/walkway. After some discussion, ***Commissioners agreed that they would support a new facility for Atlantic Seafood south of the boat ramp, limited to 1,500 square feet and a 500-foot deck. The City Manager and the City Attorney were directed to communicate their position on size of a new structure to Atlantic Seafood owner/proprietor Ms. Ann Coonrod.***

10.1 DREDGING OPERATION COSTS: The need for Marina, dredging continues despite its recent reconfiguration. The next dredging cycle, scheduled for fall 2022, has been budgeted at \$650K. City Manager Dale Martin reported that in consultation with Oasis Marinas, plans to replace the existing boaters’ facilities building have been postponed so that money can be reprogrammed to dredging.

Commissioners discussed among themselves and with Oasis representatives’ possible ways to lower the costs of regular dredging. Marina Manager Taylor Fitzsimmons and Oasis representative Eric Bradley reported that Fernandina Beach is one of Oasis’ most important properties. Currently there are forty-two long term slip holders with a waiting list of seventy-five. When asked how their other marinas cover dredging costs, Oasis responded that it is built into their business plan. ***The Commission asked Oasis to provide them with a plan on how Marina revenues from long term slip holders and transients could help offset dredging expenses by April 1, 2022.***

10.2 DEBT RESOLUTION: Commissioners discussed how Marina debt may be lowered: currently \$14M in debt; \$10M owed to banks and the remainder to the City’s Utility Fund. Servicing the debt costs \$715K each year. The anticipated \$7M reimbursement from FEMA will be applied, thereby cutting the debt in half. Commissioners also discussed wiping out the internal loan that has been borrowed from the City’s Utilities Fund. ***The Commission will formally discuss resolving the debt to the Utilities Fund at a future meeting. Additional debt resolution discussion culminated in directing the Utilities Director Andre Desilet to provide a financial report by February 15, 2022.***

10.3 INSURANCE: It would cost the City \$362K each year to insure the Marina against damage from wave action generally caused by hurricanes. This would be a significant cost without which FEMA could refuse to fund repairs to future hurricane damage. ***Commissioners directed the City Manager to direct an appeal to the state for a waiver of this requirement by March 1, 2022.*** If granted, the waiver will clear the way for possible future assistance from FEMA should the Marina receive significant damage during a storm.

11. AFFORDABLE HOUSING: Vice Mayor Len Kreger reminded Commissioners that the City's Comprehensive Plan requires the City to contain a variety of housing. Other than Habitat for Humanity, there is no program to address the housing needs of low-income workers in the City.

Commissioner Sturges noted the lack of available property in the City to build housing for middle to low-middle income earners. He suggested that the City's current inventory of public housing covers approximately ten acres. If the City could secure permission from HUD to build upwards over existing housing, the amount of housing available to low-income families could double. ***City Attorney Tammi Bach noted that such a move would involve an increase in density and agreed to check with HUD on the City's ability to build more low-income housing atop existing housing.***

15. ADJOURNMENT: There being no further business to come before the City Commission, the meeting was adjourned at 1:41PM.

ATTEST:

Caroline Best
City Clerk

Michael A. Lednovich
Mayor-Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Discussion
Amelia Island Resiliency Plan Next Steps

ITEM TYPE: Discussion

REQUESTED ACTION:

SYNOPSIS: Commissioner Ross wishes to discuss next steps with certain waterfront property in relation to the seawall project.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager 2/21/2022



Date: February 03, 2022

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION:

1 March 2022 City Commissioner Workshop

Amelia River Resiliency Plan – Next Steps

- The Amelia River resiliency plan was adopted to prevent flooding of the historic downtown of Fernandina Beach
- City Commission Resolution 2021-20 adopted a City Commission goal to draft a concept plan for Segments 6 & 7.
- Two properties are located in Segment 7 of the Amelia River resiliency plan.
- This is the section that is the lowest area and frequently floods

Property Number 1 – 101 North Front Street, owned by the City of Fernandina Beach

Property Number - 2

Parcel Number: 00-00-31-1760-0001-0020

Short Legal: Parts of Water Lots 1 & 2 , North Front Street

Owners: O' Steen Company LLP (2/3) & Simmons, Richard & Pamela (1/3), 759 North Edgewood Avenue, Jacksonville, FL., 32254

The land was originally purchased by the current group of owners in 1985.

The land is vacant and located in the CRA and Historic Districts.

The previously installed seawall has been in disrepair since at least 2004.

The final CRA submittal uses the property as an example of unsanitary and unsafe conditions.

2

FINAL CRA SUBMITTAL

Unsanitary or unsafe conditions



(fig. 1.9) View south along Front Street between Alachua and Centre.

The condition of the property is largely unchanged since the initial CRA determination.



Same view as previous picture approximately 20 years later.

The Amelia River Resiliency Plan proposes to put a flood wall and associated river walk connecting the “parking lot A parcel” and 101 Front Street. Both parcels are owned by the City of Fernandina Beach.

The City has previously engaged with the owner of property # 2, to either purchase all or part of the property or to have an easement for the sea wall and river walk. On 20 January the City Manager wrote a letter to the property owners proposing to negotiate a purchase of a limited portion of the property or acquisition of easements. A formal response was requested by 5:00PM, 17 February 2022.

There has been no response from the property owners.



Options:

1. Further attempts to engage with the property owner;
2. Alternative design and route of seawall and river walk [see below];
3. Proceed with design and construction of 101 N. Front Street leaving a gap in the flood wall and river walk;
4. Staff develop a request for proposals for private public partnership for 101 N. Front St. property;
5. Proceed with design of other portions of the project;
6. Eminent domain for the seawall and riverwalk portion of property #2;
7. Do nothing and abandon the seawall resiliency project.
8. Other?





2021 City Commission Goals (Resolution 2021-20)

Category	Goal Statements	Completed by	Completed on
City Assets	Inventory and document major City facility assets (expected life, annual costs)	3/30/2021	3/30/2021
City Assets	Solicit construction bids for proposed fire station at Airport	8/1/2021	7/7/2021
City Debt	Determine Golf Course operator	2/10/2021	2/2/2021
City Debt	Adopt plan to address outstanding Marina debt	5/31/2021	PENDING
City Debt	Adopt plan to address outstanding Golf Course debt, propose capital expenditures	7/27/2021	PENDING
Conservation	Review/revise ordinances to provide for enhanced tree protection and mitigation	8/1/2021	8/3/2021
Conservation	Determine whether to acquire Crane Island park land	8/1/2021	NO ACTION
Conservation	Improve Community Rating System Score from Class 6 to Class 3	1/27/2024	
Waterfront	Adopt Phase 1 concept plan for the waterfront park (vicinity Parking Lots C and D)	2/16/2021	2/16/2021
Waterfront	Construct Phase 1 (Segment 2) of Amelia River resiliency plan	11/30/2021	ONGOING
Waterfront	Present draft concept for future phase (Segments 6 and 7) of Amelia River resiliency plan	TBD	

Category	Previous Relevant Goal Statements	Completed by	Completed on
Conservation	Increase tree canopy by 5% within five years (2019)	2/1/2024	REVISED?
Conservation	Construct dune system (to 100-year storm protection levels) within ten years (2019)	2/1/2029	
Waterfront	Complete a resilient, safe waterfront: marina, park, rail crossings, private development	1/1/2024	

Warranty Deed

(CORPORATE)

BOOK 417 PAGE 147

APR 3 - 1984

THIS INDENTURE, Made this
ISLAND SEAFOOD COMPANY,

27th

day of March

, A. D. 19 84 BETWEEN

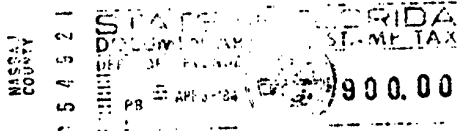
a corporation organized and existing under the laws of the State of Florida,
of the County of Nassau, State of Florida, party of the first part, and
HAROLD S. O'STEEN, HOWARD K. O'STEEN and RICHARD S. SIMMONS, whose address for
purposes hereof is 759 N. Edgewood Avenue, Jacksonville, FL 32205

of the County of Duval, State of Florida, parties of the second part,
WITNESSETH: that the said party of the first part, for and in consideration of the sum of
TEN AND NO/100 (\$10.00) Dollars,
to it in hand paid by the said parties of the second part, the receipt whereof is hereby
acknowledged, has granted, bargained and sold to the said parties of the second
part, their heirs and assigns forever, the following described land, situate, lying and
being in the County of Nassau, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER WITH all riparian rights appurtenant thereto (subject to the reserved
rights and easements of party of the first part).

SUBJECT TO the right or interest of the public, if any, to use any part of said
lands seaward of the most extreme high water line; taxes, assessments and govern-
mental impositions levied, assessed or imposed subsequent to December 31, 1983; and
the rights, if any, of others in portions of said lands lying below the normal
high water mark of the Amelia River.



And the said party of the first part does hereby fully warrant the title to said land, and will defend the
same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has caused this instrument to be executed in its
name by its President and caused its Corporate Seal attested by its Secretary to be hereto affixed
the day and year first above written.

(CORPORATE SEAL)

ISLAND SEAFOOD COMPANY

ATTEST

By:

Christine H. Bryan

By:

William E. Bryan Jr.

Its Secretary

Its President

Signed and Sealed in Our Presence:

STATE OF FLORIDA
COUNTY OF DUVAL

Before me personally appeared WILLIAM E. BRYAN JR. and CHRISTINE H. BRYAN

respectively the President and Secretary of ISLAND SEAFOOD COMPANY,
a corporation under the laws of the State of Florida, to me well known to be the individuals and officers
described in and who executed the foregoing instrument and severally acknowledged the execution thereof to
be their own free act and deed as such officers thereunto duly authorized; and that the official seal of said
corporation is duly affixed thereto, and the said conveyance is the act and deed of said corporation.

WITNESS my hand and official seal this 27th day of March, 1984

at Jacksonville, County and State aforesaid

Notary Public in and for the County and State Aforesaid.
My Commission expires:

Notary Public, State of Florida at Large
My commission expires Sept. 28, 1984

THIS INSTRUMENT WAS PREPARED BY:
WILLIAM E. SCHEU of
WILMER, MURCHISON, ASHBY, TAYLOR & CORRIGAN
P. O. BOX 479
1600 ATLANTIC BANK BUILDING
JACKSONVILLE, FLORIDA 32202

EXHIBIT "A"

Attached to and a part of that certain WARRANTY DEED, dated *MARCH 27* 1984, wherein ISLAND SEAFOOD COMPANY, a Florida corporation, is Grantor, and HAROLD S. O'STEEN, HOWARD K. O'STEEN and RICHARD S. SIMMONS are Grantees.

That certain piece, parcel or tract of land situate, lying and being in the City of Fernandina Beach, County of Nassau and State of Florida, known and described as:

8403517

A PORTION OF WATER LOTS 1 and 2, FERNANDINA BEACH, FLORIDA, as shown on the official plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901). Said portion being more particularly described as follows:

For a Point of Beginning, commence at the Northeasterly corner of said Water Lot 1 located on the Westerly right-of-way line of North Front Street (having a 60.00 feet right-of-way) and run South Seven (7) degrees, Twenty-nine (29) minutes, Twenty-five (25) seconds West, along said right-of-way; a distance of One Hundred (100.00) feet to a point; run thence North Eighty-two (82) degrees, Thirty (30) minutes, Thirty-five (35) seconds West, a distance of One Hundred Twenty-three (123.00) feet to a point; run thence North Seven (7) degrees, Twenty-nine (29) minutes, Twenty-five (25) seconds East, a distance of Thirty-seven (37.00) feet to a point; run thence North Eighty-two (82) degrees, Thirty (30) minutes, Thirty-five (35) seconds West, a distance of Sixty-nine (69.00) feet to a point; run thence North Seven (7) degrees, Twenty-nine (29) minutes, Twenty-five (25) seconds East, a distance of Sixty-three (63.00) feet to a point on the Northerly line of Water Lot 1, aforementioned identified herein as Reference Point "A". Return to the aforementioned Point of Beginning and run North Seven (7) degrees, Twenty-nine (29) minutes, Twenty-five (25) seconds East along said Westerly right-of-way line of North Front Street, a distance of One Hundred (100) feet to a point in the Easterly line of said Water Lot 2; run thence North Seventy (70) degrees, Thirty-six (36) minutes, Thirty-five (35) seconds West, a distance of One Hundred Sixty Eight and Thirty Hundredths (168.30) feet, more or less, to a point in the combined pierhead and bulkhead line; run thence Southwesterly along the meanderings thereof, a distance of One Hundred Thirty-seven (137) feet, more or less, to aforesaid Reference Point "A" and to close.

Party of the First Part (herein "Grantor") reserves for itself and its successors and assigns an easement over and upon the walkways and docks located on the water side of said lands for the purpose of docking, loading, unloading and maintaining fishing boats and other watercraft. The easements over said walkways shall be nonexclusive, but the easement over and upon the right to use said docks for mooring boats and other watercraft shall be exclusively Grantor's. Grantees shall not intentionally interfere with Grantor's aforesaid use of said docks. Grantor also reserves such riparian rights as are necessary for the use and maintenance of said docks and walkways. In connection with its use of the docks, Grantor may alter or reconfigure the docks, add docks and connect them to the walkway, provided such alterations, reconfigurations and/or additions do not unreasonably interfere with Grantees' use of the aforesaid lands and the walkway.

Grantor agrees to maintain in good condition the present docks and walkways and any alterations, reconfigurations or additions thereto created by Grantor. Parties of the Second Part (herein "Grantees") may add additional walkways to the existing walkway at their expense, but Grantees shall maintain in good condition any such additional walkways. Any additions constructed by Grantees shall not interfere with Grantor's use of the walkway and docks. Grantees shall maintain all driveways and loading ramps in good condition and shall not alter or relocate them without the consent of Grantor.



January 20, 2022

Mr. Steve Simmons
O'Steen Company, LLP
759 North Edgewood Ave
Jacksonville FL 32254-3013

Mr. Simmons:

The City of Fernandina Beach wishes to re-initiate discussions with you regarding the role of your property located on N. Front Street in Fernandina Beach (Parcel ID 00-00-31-1760-0001-0020). The City desires to address two issues related to the subject property.

First, the City has initiated a significant effort to protect the downtown area from recurring tidal flooding, storm surges, and sea level rise. The proposed effort will extend, in general, along the entirety of Front Street, using seawalls and earthworks constructed to an elevation of nine feet as measured by North American Vertical Datum (NAVD). The initial phase at the southern City parking area on S. Front Street, which includes a concrete riverwalk, is nearing completion.

Your property is at the lowest elevation on Front Street (approximately five feet NAVD), making it the most susceptible to flooding and increasing the vulnerability of other properties. For the project to be ultimately effective, it is critical to have the protective barrier extend unbroken along Front Street, including on your property.

Second, the City, with the collaboration of State and railroad officials, will soon begin construction to re-open the Alachua Street railroad crossing. This effort was originally initiated in 2005, and when completed this year, should provide greater access to N. Front Street and the Amelia River waterfront. The enhanced access is intended to be for both vehicles and pedestrians, but the narrow N. Front Street right-of way between Alachua and Centre Streets and the necessity to maintain two-way traffic on N. Front Street, precludes the ability to incorporate a sidewalk (and likely parking) on the west (water) side of N. Front Street. The acquisition or use of a limited portion of your property along N. Front Street would allow for the construction of a sidewalk (and/or on-street parking).

The City seeks your interest in assisting with these two efforts. The City is prepared to negotiate the purchase of a limited portion of your property or the acquisition of easements (at a cost reflective of your recent appraisal) necessary to construct, at City cost, the proposed improvements. If you wish to discuss the proposed scope and improvements with City staff, or if you have a different alternative for a successful private-public partnership, please contact me to schedule a meeting. The City Commission desires a formal response from you to this offer no later than 5:00 PM, Thursday, Feb. 17, 2022.

Thank you. I look forward to hearing from you.

Sincerely,

Dale L. Martin
City Manager

A new Broward law — a first in Florida — to deal with high tides by setting minimum seawalls

THE SUN SENTINEL |

APR 29, 2020 AT 11:34 AM

Broward County has passed an ordinance that sets minimum seawall and top-of-bank elevation standards in areas that are susceptible to flooding from high tides.. Many waterfront property owners don't know much about seawalls and tidal flood barriers. The new disclosure requirement is a step toward greater transparency in coastal real estate transactions.

Broward County has passed an ordinance that sets minimum seawall and top-of-bank elevation standards in areas that are susceptible to flooding from high tides. Many waterfront property owners don't know much about seawalls and tidal flood barriers. The new disclosure requirement is a step toward greater transparency in coastal real estate transactions. (Courtesy Invading Seas)

Broward County has passed an ordinance that sets minimum seawall and top-of-bank elevation standards in areas that are susceptible to flooding from high tides.

On March 31, the county approved a model code for cities to adopt that spells out regionally consistent minimum standards and a basis for resilient investments across the county. They are projected to be effective until 2070.

The 17 cities in the county affected have two years to adopt the standards, which are now part of the county's land-use plan. If a city fails to enact the standards, proposed developments in that city would find it difficult to get county approval.

The new law — the first such countywide ordinance in Florida — establishes "tidal flood barrier infrastructure standards" that, for the very first time, account for sea-level rise caused by climate change. The standards are designed to eliminate flooding from tidewater coming over private seawalls or similar structures and onto neighboring or public properties.

The law also requires people selling property to disclose if the property is in a tidal-flooding area and that seawalls and other barriers will be subject to the new standards.

The law sets minimum elevations for coastal infrastructure within tidally influenced areas. Structures must be at least 5 feet above an internationally accepted sea-level height called NAVD88. The height applies to all new or substantially repaired or rehabilitated seawalls, banks and berms

Also, property owners must maintain their barriers in good repair. A seawall is "presumed to be in disrepair, if it allows tidal water to flow unimpeded through or over the barrier and onto adjacent property or public right-of-way."

A property owner who fails to maintain a seawall and allows water to flood nearby property faces fines. The owner must show that he's started fixing the wall within 60 days of getting a citation. The owner is required to complete the work in 365 days.

FINE

[Greener Government](#) » [Climate Resiliency](#)

SEAWALL MAINTENANCE

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The City of Fort Lauderdale updated its [seawall ordinance \(ULDR Section 47-19.3\)](#) on June 21, 2016 to establish construction standards that ensure that seawalls contribute to coastal resilience and mitigate the effects of tidal flooding and sea level rise. On December 6, 2016, the seawall ordinance was modified (Commission Agenda Memo [CAM 16-1414](#)) to clarify provisions related to the height of docks and the criteria for determining whether an improvement constitutes a substantial repair.

In late September and early October 2015, the City experienced unprecedented flooding during the [seasonal King tides](#). King tides generally occur in the fall when the alignment of the sun, moon and earth generate higher than average tides. Local weather conditions including onshore winds, rising sea levels, and extreme precipitation can combine to exacerbate flooding risks, especially in low-lying coastal areas.

At the October 6, 2015 Conference meeting, the Commission discussed concerns with the flooding and its relationship to seawalls, noting that the extreme tides in September 2015 suggested that the maximum seawall elevation may not be adequate. Staff provided a review of the topic at the [November 3, 2015 Conference meeting](#) (CAM 15-1391). At that time, the Commission requested that the City revise the seawall ordinance to set a minimum seawall elevation requirement.

Staff worked with [numerous stakeholders](#), including the Marine Advisory Board, the Council of Civic Associations, the Board of Adjustment, and other neighbors to update the existing ordinance to improve community resilience. As sea level continues to rise, higher well-maintained seawalls will address short-term flooding caused by king tides.

Enforcement of the ordinance supports climate adaptation policies in the City of Fort Lauderdale Comprehensive Plan and the resilient neighbor vision described in [Fast Forward Fort Lauderdale 2035](#). The ordinance included two provisions under which a property owner may receive a code violation:

1. Failing to maintain a seawalls in good repair and setting a timeline of 365 days for completion of repairs if cited; and
2. Requiring owners to prevent tidal waters entering their property from impacting others properties or the public right of way and setting a timeline of 365 days for remedy if cited.



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

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PRESS RELEASE

FOR IMMEDIATE RELEASE

Jan. 13, 2021

Miami Beach Commission Adopts First Seawall Ordinance of its Kind

— The measure sets minimum construction standards for seawalls and other tidal flood barriers in Miami Beach —

Miami Beach, FL – The Miami Beach City Commission unanimously adopted an ordinance today that codifies previously established minimum elevations for new seawalls and provides new penalties for property owners who fail to maintain privately owned seawalls that cause flooding on adjacent properties and the rights of way.

Titled “Resiliency Standards for Tidal Flood Protection,” the measure sets minimum construction standards for seawalls and other tidal flood barriers to strengthen coastal resilience and mitigate the effects of tidal flooding. The ordinance gives property owners up to 730 days to bring failing seawalls into compliance.

“Miami Beach has approximately 53 miles of seawalls, of which 92% are on private property,” Miami Beach Mayor Dan Gelber explained. “Our city must have a mechanism in place to make sure that our seawalls are a protective coastal barrier now and well into the future to reduce risks from storms, high tides and sea level rise.”

The Miami Beach ordinance was modeled after seawall ordinances recently adopted by Broward County and the City of Fort Lauderdale.

Under the new ordinance, all new seawalls must be constructed to a minimum elevation of 5.7 feet NAVD or 4 feet NAVD if designed to support a future elevation of 5.7 feet NAVD. Nearly 40% of Miami Beach residents reported having observed increased flooding in their neighborhoods during a 2019 community satisfaction survey.

“The City of Miami Beach is investing in aging infrastructure to reduce food risk and adapt to climate change,” Commissioner Mark Samuelian added. “Investments in resilience make strong economic sense for residents and the community alike.”

Seawall replacement requires permitting approvals from the U.S. Army Corps of Engineers, State of Florida, the Miami-Dade County Resources and Regulatory Department and the City of Miami Beach. Seawalls must be upgraded if the property undergoes new construction or substantial improvements.

A violation of the ordinance carries a \$250 fine per day for the first offense and a \$500 fine per day for subsequent violations.

###

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Discussion
Advisory Board Review

ITEM TYPE: Discussion

REQUESTED ACTION:

SYNOPSIS: Commissioner Ross wishes to discuss the role of Advisory Boards in the City.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager 2/21/2022

Date: February 01, 2022

Submitted By: Dale Martin, City Manager

COMMISSION ACTION:

City Commission Work Shop 1 March 2022

City Commission Advisory Committees

- **Review purpose of specific committees - any deletions, additions, or revisions?**
- **Should there be a more proactive method of recruiting board members?**
- **Are monthly meetings necessary, or should the committees have the ability to meet less often or on a as needed basis?**
- **Should any recommendation of an advisory committee be made in writing and how should it be presented to the Commission?**
- **Should each Committee give a semi-annual or annual report / presentation to the Commission?**
- **Does the Commission need to appoint a City Commissioner liaison to the Golf Course Advisory Committee or should resolution 2017-82 be changed?**
- **Should each advisory board have a City Commissioner liaison?**
- **Should an individual Commissioner be soliciting advice from a committee at the committee meeting?**
- **Should an individual Commissioner be directing a committee on what to do?**

Synopsis of the Purpose of Various Committees

Resolution 2007-102

Arts Council:

1. Recommending the pursuit of grant opportunities to finance art related programming, facilities or awareness;
2. Improving the awareness, understanding and opportunities to experience the arts in the community;
3. Collectively working with the Parks and Recreation Advisory Committee to recommend new facilities and infrastructure to improve and enhance the enjoyment of the arts.

Resolution 2017 -82

Golf Course Advisory Committee:

The City Commission shall appoint a City Commissioner liaison to interact with the Golf Course Advisory Board

Powers and Duties

- A. To make recommendations as to the hours of operation, the programs and services that will be available to the public and the care and conditions of all golf course facilities;
- B. Make recommendations regarding policies and rates to be charged for use of the facilities and equipment that is available for use by the general public;
- C. Review Marketing plans. Efforts to increase rounds/revenue (mailings, emails, website, tournaments, etc.);
- D. Make recommendations for the expenditure of funds and assist in the preparation of budgets;
- E. To provide the City Clerk with copies of minutes covering meetings of the Board and prepare and submit to the City Commission as soon as possible after the end of the fiscal year a comprehensive annual report of the Board's activities.

Resolution 2012-118

Community Redevelopment Agency Advisory Board

Purpose: The Amelia River Waterfront Community Redevelopment Advisory Board is charged with the task of advising the Community Redevelopment Agency on issues including implementation of the CRA Plan by providing recommendations and assistance in identifying and prioritizing projects to be undertaken as consistent with the CRA Plan.

The focus of this group is economic development of properties in the City's established CRA and the adjoining Central Business District with specific considerations on attracting and retaining business.

Resolution 2018-98

Marina Advisory Board

The MAB shall provide advice and make recommendations to the City Commission as follows:

1. Make recommendations regarding a comprehensive plan for the physical development and
2. Make recommendations on the operation of the Marina and for the improvements of operations;
3. Make recommendations regarding policies, such as Marina Rules and Regulations and Marina Code of Conduct;
4. Perform additional functions as requested by the City Commission to advise and assist in the continued operation and betterment of the Marina.

Resolution 2011-45

Airport Advisory Commission

The ACC shall provide advice and make recommendations to the City Commission as follows:

1. Make recommendations regarding a comprehensive plan for the physical development and betterment of the Airport;
2. Make recommendations on the operation of the Airport and for the improvements of the operation;
3. Make recommendations regarding the sale or lease of City-owned property located on or adjacent to the Airport and land use of nearby property that could reasonably affect or prevent safe operations at the Airport;
4. Make recommendations regarding the requested use or proposed grant of concessions on Airport property;
5. Make recommendations regarding policies, such as Airport Rules and Regulations and Airport Minimum Standards, and rates to be charged for the use of Airport property including hanger rent, Airport use fees, landing fees, parking fees, and other charges to the general public for the use of the Airport; and
6. Perform all acts requested by the City Commission to advise and assist in the continued operation and betterment of the Airport.

Resolution 2021-101

Youth Advisory Board

Creation and Purpose – There is hereby created a committee to be known as the “Fernandina Beach Youth Advisory Committee” hereinafter referred to as the “Committee”. The Committee’s role is to provide input and recommendations to the City Commission.

Resolution 2009-05

Parks and Recreation Advisory Committee

Section 1. The Parks and Recreation Committee is officially designated as an advisory board to the City Commission and is responsible for adhering to the following;

- a. Goal – the goal of the Committee shall be to assist the City in the achievement of the goals and objectives set forth in the Recreation and Open Space Element of the adopted Comprehensive Plan
- b. Mission – the mission of the Committee shall be to recommend to the City Commission plans and programs designed to meet and satisfy the recreational needs of the community; and to make recommendations for improvements to the park system; and

assist with the long range Capital Improvement planning of the Parks and Recreation Department
- c. Work Plan – the Committee shall, on a fiscal year basis, establish a work plan for the upcoming year that has measurable results. In June of each year at the second City Commission meeting of the month the Committee shall make a report setting forth the achievements of the Committee by comparing goals and objectives of the work plan with the year's achievements. The first report shall be due on June 20, 2006.

RESOLUTION 2005-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CREATING A PARKS AND RECREATION ADVISORY COMMITTEE; PROVIDING FOR GOALS, MISSION, WORK PLAN, ORGANIZATION, CONDUCT OF BUSINESS AND STAFF SUPPORT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to achieve the goals and objectives set forth in the Recreation and Open Space Element of the adopted Comprehensive Plan; and

WHEREAS, the City Commission believes it to be in the best interest of the City to create a Parks and Recreation Advisory Committee of City residents whose mission will be to recommend plans and programs designed to meet and satisfy the recreational needs of the community; and to make recommendations for improvements to the park system that will attain the goals and objectives set forth in the Recreation and Open Space Element of the adopted Comprehensive Plan; and

WHEREAS, the City Commission is committed to having representation from the youth of the community and further believes that members appointed to the Parks and Recreation Advisory Committee should fairly represent the demographic composition of the City; and.

WHEREAS, the City staff will actively participate in, and support the mission of, the Parks and Recreation Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

Section 1. The Parks and Recreation Committee is officially designated as an ad hoc advisory board to the City Commission, and is responsible for adhering to the following:

a. Goal.

The goal of the Committee shall be to assist the City in the achievement of the goals and objectives set forth in the Recreation and Open Space Element of the adopted Comprehensive Plan.

b. Mission.

The mission of the Committee shall be to recommend to the City Commission plans and programs designed to meet and satisfy the recreational needs of the community; and to make recommendations for improvements to the park system.

c. Work Plan.

The Committee shall, on a fiscal year basis, establish a work plan for the upcoming year that has measurable results. In June of each year at the second City Commission meeting of the month the Committee shall make a report setting forth the achievements of the Committee by comparing the goals and objectives of the work plan with the year's achievements. The first report shall be due on June 20, 2006.

d. Organization; Quorum; Officers.

The Committee shall be comprised of seven (7) regular members who shall serve without compensation for a term of two years. The membership shall reflect the demographic composition of the City and shall contain at least two members whose ages are between 16 and 24. A quorum necessary to conduct business of the Committee shall consist of four (4) members. The Committee shall elect from its membership a Chairperson and Vice-Chairperson, each to serve a two-year term. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Committee shall meet at a regularly set date, time and location established by the Committee.

e. Conduct of Business.

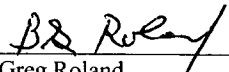
The Committee may adopt by-laws governing the operation of the Committee. Recommendations of the Committee must be approved by a majority vote of the members present at a meeting at which a quorum is in attendance and voting. Members shall be guided by state law and the City Code of Ordinances regarding conflicts of interest, record keeping, and open meetings.

Section 2. The City Manager shall provide the necessary staff support to, and be an ad hoc member of, the Committee.

Section 3. This Resolution shall become effective immediately upon its final passage.

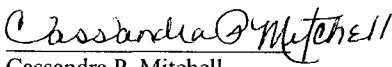
ADOPTED this 5th day of April, 2005.

CITY OF FERNANDINA BEACH



Greg Roland
Mayor-Commissioner

ATTEST:



Cassandra P. Mitchell
City Clerk

RESOLUTION 2009-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA AMENDING RESOLUTION #2005-67 CREATING A PARKS & RECREATION ADVISORY COMMITTEE BY AMENDING THE MISSION, TERMS, WORK PLAN AND AGE STIPULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution #2005-67, adopted April 5, 2005, created the Parks and Recreation Advisory Committee to recommend plans and programs designed to meet and satisfy the recreational needs of the community, and to make recommendations for improvements to the park system that will attain the goals and objectives set forth in the Recreation and Open Space Element of the adopted Comprehensive Plan; and

WHEREAS, the City Commission desires to add to their mission to assist with the long range planning of the Parks & Recreation Departments; and

WHEREAS, the City Commission desires to keep the members to seven (7) regular members, but with no age stipulation; and change the terms to two (2) members for three (3) years terms; two (2) members for two (2) year terms; and three (3) members for one (1) year term; and

WHEREAS, the City staff will actively participate in and support the mission of the Parks and Recreation Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. Resolution #2005-67 is hereby amended by adding to the Parks and Recreation Advisory Committee's mission to assist with the long range Capital Improvement planning of the Parks and Recreation Department, to remove the age stipulation on the members, and change the terms to two (2) members for three (3) years terms, two (2) members for two (2) year terms, and three (3) members for one (1) year term.

SECTION 2. This Resolution shall become effective immediately upon its final passage.

ADOPTED this 6th day of January, 2009.

CITY OF FERNANDINA BEACH

Bruce Malcolm
Commissioner-Mayor

ATTEST:

APPROVED AS TO FORM:

Mary L. Mercer
City Clerk

Tammi E. Bach
City Attorney

RESOLUTION 2007-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA CREATING AN ARTS COUNCIL TO IMPROVE THE APPRECIATION, AWARENESS AND CULTURAL OPPORTUNITIES OF ALL THE ARTS IN THE COMMUNITY BY PROMOTING AND ENHANCING THE ARTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission believes that the appreciation, understanding, awareness and promotion of the arts is a key component to maintaining a vibrant community; and

WHEREAS, the City Commission believes it to be in the best interest of the City to provide a focal point through one group to represent the arts community that would serve as a liaison between the City and the arts community to promote awareness, appreciation, enjoyment and the enhancement of arts programs and facilities; and

WHEREAS, the City Commission believes it to be in the best interest of the City to create an Arts Council to recommend grant opportunities and appropriation, to fund new arts programs, improvements or infrastructure to the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby creates The Arts Council, which is officially designated as an advisory board to the City Commission, and is responsible for adhering to the following:

a. Goal and Charge to the Arts Council.

The Arts Council's goal and charges is to promote the awareness, appreciation and interest in all types of arts to the community. The Arts Council therefore is charged with the following tasks:

- 1) Recommending the pursuit of grant opportunities to finance art related programming, facilities or awareness.
- 2) Improving the awareness, understanding and opportunities to experience the arts in the community.
- 3) Collectively working with the Parks and Recreation Advisory Committee to recommend new facilities and infrastructure to improve and enhance the use and enjoyment of the arts.

b. Organization; Quorum; Officers.

The Council shall be comprised of seven (7) regular members, one (1) representative from each of the following organizations: the Amelia Community Theatre; Fernandina Little Theatre; the Art Association; the Amelia Island Arts Academy; Amelia Book Island Festival; Chamber Music Association; and a citizen appointed by the City Commission. Each of the six (6) representatives shall be nominated by their own respective organization to the City Commission and shall serve without compensation. A quorum of the Council shall consist of four (4) members. The Council shall elect from its membership a Chairperson and Vice-Chairperson. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties of

the Chairperson. The Council shall meet at a regularly set date, time and location established by the Council. The Council shall be subject to the public meeting laws and the public records laws.

d. Appointment and terms of Members

The City Commission shall appoint the members of the Council, who shall serve for staggered terms. Two (2) members shall be appointed for one (1) year, two (2) members shall be appointed for two (2) years, and three (3) members shall be appointed for three (3) year.

e. Staff Assistance

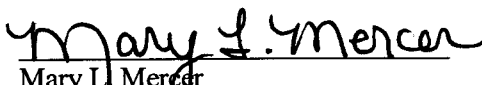
The Parks and Recreation Director and Grants Administrator shall provide the necessary staff support to the Arts Council.

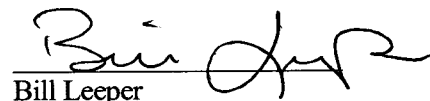
SECTION 2. This Resolution shall become effective immediately upon its final passage.

ADOPTED this 5th day of July, 2007.

ATTEST:

CITY OF FERNANDINA BEACH


Mary L. Mercer
City Clerk


Bill Leeper
Mayor - Commissioner



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Resolution 2007-102; Creation of an Arts Council.

DEPARTMENT: City Manager's Office

ATTACHMENTS: ☐ Ordinance ☐ Resolution
☐ Support Documents ☐ Other

SUMMARY: At their March 20, 2007, Regular Meeting, it was the consensus of the City Commission to have staff bring back a Resolution to create an Arts Council. Attached is a DRAFT Resolution for the Commission's discussion and consideration.

RECOMMENDED ACTION: Approve Resolution 2007-102

DEPARTMENT HEAD	Submitted: Michael J. Czymbor City Manager	Date: 6/26/07
	Requested Agenda	Date: 7/5/07
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☐ N/A	Date:
CITY ATTORNEY	Approved for Form and Correctness	Date:
CITY MANAGER	Approved Agenda Item <i>mjc/nc</i>	<i>6/28/07</i>

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐ CA ☐ CC ☐ CM ☐ CD ☐ FI ☐ FD ☐ GC ☐ HR ☐ MD ☐ PD ☐ PR ☐ PW ☐ UD

RESOLUTION 2009-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ADOPTING A PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) CHANNEL BROADCAST POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is operating a Public, Educational and Government access channel; and

WHEREAS, it is necessary to develop a broadcasting policy to govern the usage of the channel; and

WHEREAS, the City of Fernandina Beach's PEG Channel Broadcasting Policy will provide the requirements and rules for acceptable program content for the City's PEG channel 29 and 264.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, THAT:

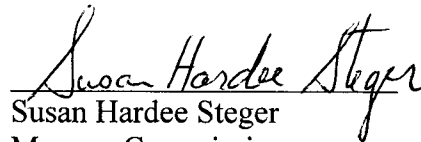
SECTION 1. The City Commission hereby adopts the City of Fernandina Beach Public, Educational, and Government (PEG) Channel Broadcasting Policy for the City's PEG Channel, attached hereto as Exhibit A.

SECTION 2. The City Manager is hereby authorized to execute all aspects of the policy.

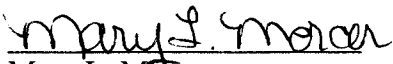
SECTION 3. This Resolution shall take effect immediately upon adoption.

ADOPTED this 21st day of July, 2009.

CITY OF FERNANDINA BEACH


Susan Hardee Steger
Mayor - Commissioner

ATTEST:


Mary L. Mercer
City Clerk

APPROVED AS TO FORM:


Tammi E. Bach
City Attorney

City of Fernandina Beach Public, Educational, Government (PEG) Channel Broadcasting Policy

I. Purpose and Goals

The purpose of this policy is to specify the appropriate use of the City of Fernandina Beach's municipal cable access channel, hereinafter called the PEG (Public, Educational and Government) channel. By effectively utilizing this channel, the city will strive to meet the following goals:

- Inform the public about City services, programs, events, and deliberations of local government;
- Broadcast meetings of the City Commission and other city boards and committees;
- Broadcast in a timely manner emergency related information before, during and after the emergencies;
- ~~Enhance and complement local communication venues, methods and opportunities by working with other government agencies, educational institutions and community based not for profit organizations to expand PEG programming when feasible and appropriate.~~
- To cooperate with other governments and government agencies to share information about other government activities that may be of interest to residents served by the PEG channel;
- To provide limited programming time slots for pre-approved public and educational content on a first come, first serve basis.

II. Administration of the PEG Channel

The City Manager is responsible for programming, technical operations, policy enforcement and monitoring, liaising with the cable franchise holder, and coordinating all related activities within the City of Fernandina Beach. The City Manager may delegate this responsibility in whole or in part to a committee, individuals employed by the City as employees, independent contractors, or a company.

III. Programming and broadcast priorities

First priority shall be given to broadcasts, live or taped, of municipal business of the City of Fernandina Beach. Municipal business shall include, but not be limited to, municipal service and event information, public meetings of the City Commission and other City ~~polymaking~~ boards and commissions, City job postings, emergency management information, and municipal-related statistics and data. City-appointed boards, committees and commissions may also submit material to be considered for broadcast on the PEG channel.

Second priority. While priority will be given to shows produced by the City of Fernandina Beach staff, other programs may also be shown if they fall within the criteria established in this section. The following types of programs (in order of priority) ~~will~~ may be aired on the PEG Channel:

- Other local, state and/or Federal government information and programs;
- Policy-compliant programming likely to be of interest to the City of Fernandina Beach that has been produced by other government entities or agencies; ~~PEG entities or non-religious-based not-for-profit organizations~~;
- Other policy-compliant and pre-approved programming produced by organizations or individuals.

IV. Content guidelines

All programming must comply with all applicable Federal, State and local laws and regulations and meet community standards for decency. Live or taped broadcasts will be considered unacceptable and will not be broadcast by the City if in the opinion of the City Manager they contain any of the following:

- Any advertising material designed to promote the sale of commercial products or services, including advertising by or on behalf of candidates seeking public office;
- Any obscene or indecent material, including but not limited to sexual content;
- Any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part on chance; ~~except where it is run by and completely for the benefit of a City of Fernandina Beach department; or a city-based not-for-profit organization~~;
- Use of unauthorized copyrighted material;
- Any ~~direct~~ solicitation of funds; ~~that would benefit the user or his/her agent except where the funds would be completely for the benefit of the City of Fernandina Beach or a Fernandina Beach not-for-profit~~;
- Material that defames any racial, ethnic, sexual, age or religious group;
- Material primarily designed to promote, proselytize or otherwise recruit members to religious organizations or causes or to promote membership in political, racial, ethnic, age or sexual advocacy groups;
- Any avocation of violence or fighting words which are designed to invoke violence;
- Any slanderous, defamatory or libelous materials;
- Any deliberate misinformation, unfair competition, invasion of privacy or publicity rights which may result in harm to any individuals or organizations.

V. General Operating Conditions

A. PEG Channel use limitations will be applied only in cases where the public interest is not being maintained, as determined by the City. It is not the intent to inhibit access to the public channel, but to ensure in as fair a manner as possible, that all persons and groups wishing to use the public access facilities have an equal and fair opportunity to

take advantage of communication potentials in public access. The Fernandina Beach City Manager, or his/her designee, shall determine whether content proposed for broadcasting on the PEG channel complies with published policies. Any material submitted for broadcast on the PEG channel may be modified, edited or denied as deemed appropriate to assure compliance with these policies. No material shall be broadcast on the PEG channel except in strict compliance with these policies.

B. The uploading and maintenance of content onto the PEG channel shall be the sole responsibility of the City, unless otherwise noted in PEG channel related contracts that the City may establish with outside organizations. All material posted on the PEG channel shall be limited to available broadcast space.

C. The City reserves the right to fully preview all material submitted for public access to determine compliance with the requirements set forth in this Policy, and to reject any materials, which do not comply. In the event any material is deemed by the City to expose it to an unreasonable risk of liability, the material may either be rejected or, after receiving satisfactory assurances of indemnification, accepted.

D. Indemnification — As a precondition to use of the public access channel, any person who submits material for broadcast must agree to defend, indemnify and hold harmless the City of Fernandina Beach from and against any and all claims, demands, causes of action, liabilities, judgments, cost and expenses (including legal attorneys' fees) arising out of the use of the access channel. Furthermore, the City of Fernandina Beach will not assume responsibility for answering any complaints that may be received from the general public as to the quality or contents of such programming. Any person submitting material for broadcast on the access channel will be expected to assume full and complete responsibility for and to answer any inquires which are received from any regulatory body, including the Federal Communications Commission, respecting such programming.

E. Request for channel time will be processed on a first come first served basis, once the broadcasting needs of the City have been met.

F. The applicant is responsible to assure that materials are not copyrighted or that the appropriate copyrighted clearances have been obtained. Written documentation of copyright clearance may be required.

G. File format conversions are the responsibility of the party submitting material for broadcast.

H. The city will establish and promulgate specific procedures for submission, scheduling and reservation of time; however, all non-city broadcast slots are subject to change based upon business needs of the city and/or emergency situations.

I. Should an individual or organization be found in violation of city policies, sanctions may be imposed up to and including a ban on future broadcasting privileges.

J. Appeals. Any individual or organization that has been denied broadcast privileges may appeal such decision in writing to the City Commission within thirty (30) days of denial. The City Commission shall hear the appeal within sixty (60) days of receipt of the appealing party's written request for appeal and their decision is final.

K. This policy shall be subject to periodic revision by the City of Fernandina Beach.

approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

RESOLUTION #2008-12 AUTHORIZING THE CITY GRANTS ADMINISTRATOR TO SUBMIT A MAXIMUM OF ONE GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, FOR THE EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE (EMPA) GRANT: According to the agenda support documents, this Resolution approved a grant application for Fire Stations 1 and 2 to install storm shutters and a generator to better prepare the City in the event of a disaster. Staff recommended approval of Resolution #2008-12. A motion was made by Commissioner Sapp, seconded by Commissioner Walker, to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

RESOLUTION #2008-13 APPROVING THE FIRST AMENDMENT TO THE SUBLEASE BETWEEN RENAL TREATMENT CENTERS – SOUTHEAST, LP, AND GIL A. CU, M.D.: According to the agenda support documents, this Resolution amended the terms of the Sublease to extend the initial term through and including November 30, 2008, and amends Sections 3(a) and 3(b). Staff recommended approval of Resolution #2008-13. A motion was made by Commissioner Sapp, seconded by Commissioner Walker, to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

REQUESTS FROM THE PUBLIC TO BE HEARD ON ITEMS NOT ON THE AGENDA: There were no requests from the public to be heard on items not on the agenda.

RESOLUTION #2008-14 AMENDING SECTION 307.1 OF THE CITY OF FERNANDINA BEACH PERSONNEL POLICY AND PROCEDURE MANUAL, ENTITLED "PAID TIME OFF": A motion was made by Commissioner Walker, seconded by Commissioner Sapp, to approve Resolution #2008-14. Vice-Mayor Gerrity requested clarification of this Resolution. City Manager Czymbor explained that in 2005 the City Commission authorized "paid time off" that allows an employee to use that time at their discretion. He clarified that this Resolution gives the employee some more flexibility to use time and the City benefits because there is no liability when they leave as a result of paying the amounts of "paid time off". He pointed out that "paid time off" was less than what an employee would accrue for sick time and vacation time based on the years of service. He related an example of an exempt employee with a year or less of service they would only get seven days of "paid time off" where vacation and sick time they earn seventeen days. There was some further discussion to clarify this system. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.



RESOLUTION #2008-15 ADOPTING A PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) CHANNEL BROADCAST POLICY: City Manager Czymbor explained that pursuant to the franchise agreement it recommends that the City adopt rules and regulations governing the use the public, educational, government channel. He pointed out that staff recommended the proposed policy to specifically designate the type of acceptable uses to allow on the channel and designate unacceptable uses that the City didn't believe benefit the general public. Mayor Leeper questioned if this would prohibit any of the current uses. City Manager Czymbor replied yes and pointed out under unacceptable programming (G) included religious programming. He explained that there was one religious denomination that does extensive programming and what staff was suggesting was that they pay for leased access through Comcast. Commissioner Sapp briefly explained that in the early franchises the people who furnished cable had to provide the equipment and the studio. He stated that

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now it all shifts over to the City of Fernandina Beach and the taxpayers have to provide the equipment. He pointed out that constitutional restrictions like the first amendment separation issue wouldn't apply to Comcast, but it applies to the City. He commented that it relieves the franchisee from all of the financial considerations. He noted that State law has come into play in a lot of this, but he hated to see any organization who have been providing programming to the citizens of Fernandina Beach to now not be able to do so. City Manager Czymbor explained that this channel was an informational, government, and education channel not a political driven, religious driven, or commercial driven channel. Commissioner Sapp questioned how a person that wanted to make a political statement would make their statement. City Manager Czymbor explained that there were not any rules or regulations. Commissioner Sapp questioned after the rules and regulations. City Manager Czymbor replied that they would have to go to Comcast and ask to buy a leased access. He stated that they would buy leased access not on the PEG channel. Commissioner Sapp commented that then it really isn't a community access channel. City Manager Czymbor explained that this was a public, education, and government channel and if it doesn't benefit the public either through information or education then it would not be played. After some discussion about the proposed Resolution, Commissioner Malcolm questioned if this has been misused or a difficulty. He commented that there haven't been people lined up to take advantage of this channel at this point. City Manager Czymbor explained that since he has been here there has been one other religious institution that would like to do programming. Commissioner Malcolm referred to political or civic issues and questioned if there has been a problem or the channel had been misused in any way. City Manager Czymbor stated that he didn't believe that it had been misused. He related a couple of examples and explained that without rules and regulations the City would have to run those tapes. There was further discussion about having rules and regulations for the channel to define what is appropriate and what is not appropriate. It was noted that the channel was underutilized at this time by the City, the County, and the school district.

City Attorney Bach explained that there was a State Statute that required that franchisee cable companies have at least one PEG channel available and that is no longer a requirement. She pointed out that there are constitutional issues, because it is either have all religious, political, and all these other groups that are now broadcasting or none. She stated that the constitutional issue has come before the courts where religious organizations have fought these policies saying that if you are going to have educational and government that they have to be allowed as well. She explained that it was found that you don't have to and if you have a PEG policy and a PEG channel rather than a community access channel you can indeed do that. She pointed out that not every city has them and they are not required. She stated that it was before the City Commission for a decision, but they are very standard. Commissioner Malcolm briefly commented that times change. After some deliberation about how to proceed with the proposed Resolution, Commissioner Walker questioned if there was an expense for the First Baptist Church to run their programming on the channel. City Manager Czymbor replied no because they have a direct feed to Comcast, but they will not have that when their new building is complete because Comcast no longer allows that. A motion was made by Vice-Mayor Gerrity, seconded by Commissioner Malcolm, to table Resolution #2008-15. Commissioner Sapp explained that he would vote against a motion to table because he had no problem with it being a community access channel. Vice-Mayor Gerrity pointed out that if you support the motion to table then it goes on the way that it is. After a brief discussion, Vice-Mayor Gerrity withdrew his motion.

City Manager Czymbor welcomed the City Commission's suggestions for improvements to the policy. He explained that his main concern was if an issue was to come up where a group asks to play something then the City does not have the authority to say that it cannot be played.

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City Commission Regular Meeting

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Commissioner Sapp pointed out that there has been a community access channel since the late 1970's and to his knowledge there has been no conflict or controversy. He explained that if there begins to be a concern or a problem with organizations asking for time on the access channel then the City should look at that. Commissioner Walker agreed and explained that if the City incurred any expense he would like to recoup that expense. No motion was made regarding this Resolution.

RESOLUTION #2008-16 AUTHORIZING THE AWARD OF BID #07-37 FOR THE MARINA FUEL SYSTEM PROJECT AT THE FERNANDINA HARBOR MARINA TO MECO OF NORTH FLORIDA, INC; AUTHORIZING THE USE OF RC DEVELOPMENT GROUP, INC. TO ASSIST CITY STAFF WITH QUALITY CONTROL AND INSPECTIONS DURING THE TANK INSTALLATION PROCESS: According to the agenda support documents, this Resolution awarded Bid #07-37 to MECO of North Florida, Inc. in the amount of \$365,532.00 and approving the proposal from RC Development Group, Inc. in the amount of \$5,000.00. Marina Director Coleman Langshaw presented a PowerPoint presentation that included answers to some frequently asked questions (i.e. Why does the Marina need a new fuel system? The State of Florida rule requires that underground storage tanks be compliant with 2009 regulations requiring double walled fuel tanks and the City currently has two single walled fiberglass tanks that were installed during the early 1990's by the Fernandina Joint Venture.). Vice-Mayor Gerrity questioned the down time of two weeks. Marina Director Langshaw explained that when it gets to the point to connect to the dispensers the outdated existing dispensers would be removed and run new piping to connect the new system. He pointed out that if it reverts to the existing location then everything shuts down because all of the old lines and tanks have to come out of the way before starting with the new system. He explained that if the project were to commence right after the Shrimp Festival the biggest impact would be during the slowest time. Commissioner Sapp inquired if the underground tanks would be able to be left there. Marina Director Langshaw replied that they could be abandoned underground or they could be removed. He pointed out that Aerostar Engineering had been hired by the State to monitor the tanks around the City and they are specialists in tank closures and contamination monitoring. He explained that staff would have to talk with them about the viability and the costs of one methodology over the other. There was a brief discussion about what would be done with the existing tanks if there were left in the ground.

Vice-Mayor Gerrity questioned if this would be a good argument for not burying the second set of tanks. He commented that they have to be filled in or dug up. Marina Director Langshaw pointed out that having them underground has its benefits, but if for some reason the City wants to do something out there and they have to be moved later on then that is a consideration of more cost if they have sand in them. Mayor Leeper questioned if they would be required in the future to be above ground tanks. Marina Director Langshaw stated that he had not heard about future requirements for that. He pointed out that underground storage tanks are not exposed to the weather and are less prone to vandalism and other issues exposed tanks are. He presented a picture of the south end and noted that some people suggested putting the tanks there. He explained that location is very far away from Marina operations and makes it problematic to make sure security is good and it was further away from the fuel dispensers. He commented that above ground tanks are what they are and they will obstruct the view. He explained that the City has had a very successful operation with underground storage tanks. He provided further details of the answers to the frequently asked questions as contained in the agenda support documents. Vice-Mayor Gerrity questioned if staff was proposing quadrupling the current capacity. Marina Director Langshaw clarified that the City currently has two 10,000 tanks and was proposing to double the capacity to 40,000. Vice-Mayor Gerrity inquired if the Marina runs out of fuel during the Shrimp Festival. Marina Director Langshaw replied yes every year. He explained that they get deliveries as close to the festival, but as things set up they are unable



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Resolution 2009-109
Adopting the Public, Educational and Government (PEG) Channel Broadcasting Policy.

DEPARTMENT: City Manager's Office

ATTACHMENTS: ☐ Ordinance ☒ Resolution
☐ Support Documents ☐ Other

SUMMARY: The City of Fernandina Beach has been granted the use of a Public, Educational and Government (PEG) Channel through out Cable Franchise Agreement with Comcast Corporation. The proposed policy will provide the rules and requirements for proper use of the PEG Channel and program content. The policy specifically states which types of programming will be broadcast on the cable channel (only city, county, or government educational programming) and unacceptable types of programming which will not be broadcast.

The City Manager previously proposed in January, 2008, a similar policy in which the City Commission took no action on the recommended policy (see attached minutes).

In addition staff previously polled the FLGISA (Florida Local Government Information Systems Association) members about the allowed/acceptable content of their PEG channels. The entire responding City's only allowed broadcasting of local government, school districts, or other government programming.

If adopted, the City Manager is proposing to solicit volunteers to serve as an advisory board to develop a robust and informative programming schedule.

RECOMMENDED MOTION: Approve Resolution 2009-109

DEPARTMENT HEAD	Submitted: Michael J. Czymbor City Manager	Date: 7/13/09
	Requested Agenda	Date: 7/21/09
FINANCE DEPARTMENT	Financial Impact ☐ Yes ☐ No	
	Budgeted: ☐ Yes ☐ No ☒ N/A	Date
CITY ATTORNEY	Approved for Form	Date:
CITY MANAGER	Approved Agenda Item for 	Date: 7/17/09

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Tabled Indefinitely ☐ Continued to a Certain Date
☐ Approved with Modification

DISTRIBUTION: ☐ CA ☐ CC ☐ CM ☐ CD ☐ FI ☐ FD ☐ GC ☐ HR ☐ MD ☐ PD ☐ PR ☐ PW ☐ UD

City of Fernandina Beach Public, Educational, Government (PEG) Channel Broadcasting Policy

I. Purpose and Goals

The purpose of this policy is to specify the appropriate use of the City of Fernandina Beach's municipal cable access channel, hereinafter called the PEG channel. By effectively utilizing this channel, the city will strive to meet the following goals:

- Inform the public about City services, programs, events, and deliberations of local government;
- Broadcast meetings of the City Commission and other city boards and committees;
- Broadcast in a timely manner emergency related information before, during and after the emergencies;
- Enhance and complement local communication venues, methods and opportunities by working with other government agencies, educational institutions and community based not-for-profit organizations to expand PEG programming when feasible and appropriate.

II. Administration of the PEG Channel

The City Manager is responsible for programming, technical operations, policy enforcement and monitoring, liaising with the cable franchise holder, and coordinating all related activities within the City of Fernandina Beach. The City Manager may delegate this responsibility in whole or in part to a committee, individuals employed by the City as employees, independent contractors, or a company.

III. Programming and broadcast priorities

First priority shall be given to broadcasts, live or taped, of municipal business of the City of Fernandina Beach. Municipal business shall include, but not be limited to, municipal service and event information, public meetings of the City Commission and other City policymaking boards and commissions, City job postings, emergency management information, and municipal-related statistics and data. City-appointed boards, committees and commissions may also submit material to be considered for broadcast on the PEG channel.

Second priority. While priority will be given to shows produced by the City of Fernandina Beach staff, other programs may also be shown if they fall within the criteria established in this section. The following types of programs (in order of priority) will be aired on the PEG Channel:

- Other local, state and/or Federal government information;
- Policy-compliant programming likely to be of interest to the City of Fernandina Beach that has been produced by other PEG cities or non-religious based not-for-profit organizations;

- Other policy-compliant programming produced by organizations or individuals.

IV. Content guidelines

All programming must comply with all applicable Federal, State and local laws and regulations and meet community standards for decency. Live or taped broadcasts will be considered unacceptable and will not be broadcast by the City if in the opinion of the City Manager they contain any of the following:

- Any advertising material designed to promote the sale of commercial products or services, including advertising by or on behalf of candidates seeking public office;
- Any obscene or indecent material;
- Any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part on chance, except where it is run by and completely for the benefit of a City of Fernandina Beach department or a city-based not-for-profit organization;
- Use of unauthorized copyrighted material;
- Any direct solicitation of funds that would benefit the user or his/her agent, except where the funds would be completely for the benefit of the City of Fernandina Beach or a Fernandina Beach not-for-profit;
- Material that defames any racial, ethnic, sexual, age or religious group;
- Material primarily designed to promote, proselytize or otherwise recruit members to religious organizations or causes or to promote membership in political, racial, ethnic, age or sexual advocacy groups;
- Any avocation of violence or fighting words which are designed to invoke violence;
- Any slanderous or libelous materials;
- Any deliberate misinformation, which may result in harm to any individuals.

V. General Operating Conditions

A. PEG Channel use limitations will be applied only in cases where the public interest is not being maintained, as determined by the City. It is not the intent to inhibit access to the public channel, but to ensure in as fair a manner as possible, that all persons and groups wishing to use the public access facilities have an equal and fair opportunity to take advantage of communication potentials in public access. The Fernandina Beach City Manager, or his/her designee, shall determine whether content proposed for broadcasting on the PEG channel complies with published policies. Any material submitted for broadcast on the PEG channel may be modified, edited or denied as deemed appropriate to assure compliance with these policies. No material shall be broadcast on the PEG channel except in strict compliance with these policies.

B. The uploading and maintenance of content onto the PEG channel shall be the sole responsibility of the City, unless otherwise noted in PEG channel related contracts that the City may establish with outside organizations. All material posted on the PEG channel shall be limited to available broadcast space.

C. The City reserves the right to fully preview all material submitted for public access to determine compliance with the requirements set forth in this Policy, and to reject any materials, which do not comply. In the event any material is deemed by the City to expose it to an unreasonable risk of liability, the material may either be rejected or, after receiving satisfactory assurances of indemnification, accepted.

D. Indemnification — As a precondition to use of the public access channel, any person who submits material for broadcast must agree to defend, indemnify and hold harmless the City of Fernandina Beach from and against any and all claims, demands, causes of action, liabilities, judgments, cost and expenses (including legal fees) arising out of the use of the access channel. Furthermore, the City of Fernandina Beach will not assume responsibility for answering any complaints that may be received from the general public as to the quality or contents of such programming. Any person submitting material for broadcast on the access channel will be expected to assume full and complete responsibility for and to answer any inquiries which are received from any regulatory body, including the Federal Communications Commission, respecting such programming.

E. Request for channel time will be processed on a first come first served basis, once the broadcasting needs of the City have been met.

F. The applicant is responsible to assure that materials are not copyrighted or that the appropriate copyrighted clearances have been obtained. Written documentation of copyright clearance may be required.

G. File format conversions are the responsibility of the party submitting material for broadcast.

H. The city will establish and promulgate specific procedures for submission, scheduling and reservation of time; however, all non-city broadcast slots are subject to change based upon business needs of the city and/or emergency situations.

I. Should an individual or organization be found in violation of city policies, sanctions may be imposed up to and including a ban on future broadcasting privileges.

J. Appeals. Any individual or organization that has been denied broadcast privileges may appeal such decision in writing to the City Commission within thirty (30) days of denial. The City Commission shall hear the appeal within sixty (60) days of receipt of the appealing party's written request for appeal and their decision is final.

K. This policy shall be subject to periodic revision by the City of Fernandina Beach.

RESOLUTION 2011-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FERNANDINA BEACH, FLORIDA RE-CREATING THE AIRPORT
ADVISORY COMMISSION; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the City Commission initially created the Airport Advisory Commission in 1984 via Ordinance 671; and

WHEREAS, the City Commission incorporated the roles and responsibilities of the Airport Advisory Commission into City Code in 1984 and later into a newly created Land Development Code in 2006; and

WHEREAS, in March 2011, the City Commission decided that the roles and responsibilities of the Airport Advisory Commission should be removed from the provisions of the Land Development Code since it does not oversee or rule on land development issues throughout the City; and

WHEREAS, the City Commission wishes to re-create the Airport Advisory Commission ("AAC") and clarify its roles and responsibilities as a standing committee serving as an advisory body to the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby creates the Airport Advisory Commission, which is officially designated as a standing committee and an advisory board to the City Commission, and is responsible for adhering to the following:

- a) The AAC shall consist of seven (7) members and one (1) non-voting member appointed by the City Commission;
- b) All voting members shall reside within the City limits but the non-voting member does not have to reside within City limits; and a voting member who moves outside of the City shall be removed immediately;
- c) Each member of the AAC serves at the pleasure of the City Commission;
- d) The term of office for all board members shall be three (3) years effective with October 1 of year appointed unless appointed to fill a vacancy then appointment continues for the term of the vacancy;
- e) Members shall attend all regular and called meetings. Any member who has been absent for three (3) regular meetings in one (1) fiscal year shall be subject to removal;
- f) The AAC shall have a chair and a vice-chair to conduct each meeting, but the non-voting member shall not serve as chair or vice-chair;
- g) The chair and vice-chair shall serve one (1) year terms;
- h) For the purpose of transacting business at any meeting, a majority of voting AAC members shall constitute a quorum;
- i) A member who is seeking re-appointment shall continue to be a voting member for two (2) months beyond the existing term, if necessary, to allow for the finalization of the re-appointment by the City Commission;
- j) The AAC meetings are open to the public and its members (including non-voting member) are subject to the Florida Sunshine Law and Public Records Act;

- k) All meetings will be conducted in accordance with parliamentary procedures as set forth and explained in the latest revised edition of Robert's Rules of Order, which shall serve as a guide for the rules of procedure of the meetings;
- l) Minutes of its proceedings, indicating the attendance of each member and decision of each member, shall be kept, signed by the chair and filed with the City Clerk;
- m) Members shall serve without compensation;
- n) An AAC member may request information from the Airport Manager, which is necessary in order to carry out specific roles and responsibilities; and
- o) The AAC shall provide advice and make recommendations to the City Commission as follows:

1. Make recommendations regarding a comprehensive plan for the physical development and betterment of the Airport;

2. Make recommendations on the operation of the Airport and for the improvement of the operation;

3. Make recommendations regarding the sale or lease of City-owned property located on or adjacent to the Airport and land use of property adjacent to the Airport or land use of nearby property that could reasonably affect or prevent safe operations at the Airport;

4. Make recommendations regarding the requested use or proposed grant of concessions on the Airport property;

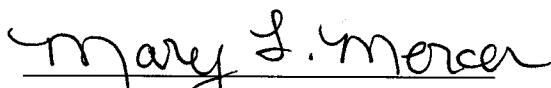
5. Make recommendations regarding policies, such as Airport Rules and Regulations and Airport Minimum Standards, and rates to be charged for the use of Airport property, including hangar rent, Airport use fees, landing fees, parking fees, and other charges to the general public for the use of the Airport; and

6. Perform all acts requested by the City Commission to advise and assist in the continued operation and betterment of the Airport.

SECTION 2. This Resolution shall become effective immediately upon its final passage.

ADOPTED this 5th day of April, 2011.

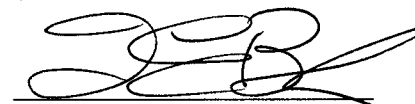
ATTEST:


Mary L. Mercer
City Clerk

CITY OF FERNANDINA BEACH


Susan Hardee Steger
Mayor – Commissioner

APPROVED AS TO FORM:


Tammi E. Bach
City Attorney

AIRPORT ADVISORY COMMISSION

AIRPORT ADVISORY COMMISSION				
Meeting: Second Thursday of each month, 6:00 p.m., Peck Center Conference Room				
Appointment Date	NAME	ADDRESS	TELEPHONE	TERM
9/10	Edward Grissom egrissom@yahoo.com	414 Georgia Avenue	491-8163 (H)	3 yrs-9/2012
01-06	*Mickey Baity mbaity@att.net	1585 Park Avenue (Mail) 1707 McArthur (H)	277-8360 (H)	3 yrs 9/2011
09-07	Nelson Showalter showalter@bellsouth.net	1834 S. Fletcher Avenue	261-4885 (H)	3 yrs-9/2012
9/10	Diane Patten diane.patten@wnco.com	2845 First Avenue	491-3417 (H)	3 yrs-9/2012
02-02	**Louis E. Goldman louisgoldman@comcast.net	20 South 6 th Street	261-0615 (H)	3 yrs-9/2012
12-06	Nancie Swope Crabb Nanciesc@aol.com	399 Portside Drive	491-1223(H)	3 yrs 9/2011
09-08	David Dully Dave.dully@bmcjax.com	131 S. 17 th Street	334-2833	3 yrs 9/2011
*Chair **Vice Chair ***Secretary				
Staff Coordinator: Richard W. Johnson, Airport Manager NO FINANCIAL DISCLOSURE REQUIRED				



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: DISCUSSION - AIRPORT ADVISORY COMMISSION

DEPARTMENT: AIRPORT

ATTACHMENTS: ☐ Ordinance ☐ Resolution
☐ Support Documents ☐ Other

SUMMARY: At the Regular City Commission meeting of April 5, 2011, the City Commission voted to approve Resolution 2011-45 re-creating the Airport Advisory Commission as a standing committee acting as an advisory board to the City Commission regarding matters affecting the Airport. The Resolution included duties, responsibilities and rules of procedure, however, the membership of the committee was not clarified as to whether the existing members tenure continued and to their terms. Clarification is needed from the City Commission regarding the membership of the Airport Advisory Commission. Attached is a copy of the current members with terms of the Airport Advisory Commission. The City Commission approved adding an eighth member as ex-officio and we will be placing a notice on the City's website and Cable television for interest.

RECOMMENDED ACTION: Clarification of the membership of the Airport Advisory Commission.

DEPARTMENT HEAD Submitted: Mary L. Mercer, City Clerk *(Signature)* Date: 4-18-11
Requested Agenda Date: 4-19-11

FINANCE DEPARTMENT Budgeted ☐ Yes ☐ No ☐ N/A Date:

CITY ATTORNEY Approved for Form Date:

CITY MANAGER Approved Agenda Item for *(Signature)* Date: 4/18/11

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled to Time Certain
☒ Other

DISTRIBUTION: ☐ BD ☐ CA ☐ CC ☐ CM ☐ CD ☐ FI ☐ FD ☐ FM ☐ GC ☐ HR ☐ MD ☐ PD ☐ PR ☐ UD

Form: CCAI;5.23.02

The City Commission voted 5-0 to keep the existing Airport Advisory Commission members and terms and to affirm any decisions they may have made at their meeting on 4/14/11. *(Signature)*



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: RESOLUTION 2011-45
RE-CREATING THE AIRPORT ADVISORY COMMISSION

DEPARTMENT: AIRPORT

ATTACHMENTS: ☐ Ordinance ☒ Resolution
☐ Support Documents ☐ Other

SUMMARY: The City Commission amended the Land Development Code to delete the Airport Advisory Commission's duties and responsibilities since the Land Development Code regulates the development and use of land throughout the City and probably was not an appropriate place to have the Airport Advisory Commission's duties. This Resolution re-creates the Airport Advisory Commission as a standing committee acting as an advisory board to the City Commission regarding matters affecting the Airport. The Resolution includes duties, responsibilities and rules of procedure.

RECOMMENDED ACTION: Resolution 2011-45

DEPARTMENT HEAD Submitted: City Attorney, Tammi Bach, Date: 3-30-11
Requested Agenda Date: 4-5-11

FINANCE DEPARTMENT Budgeted ☐ Yes ☒ No ☒ N/A Date:

CITY ATTORNEY Approved for Form TEB Date: 3/30/11

CITY MANAGER Approved Agenda Item for [Signature] Date: 3/30/11

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled to Time Certain
☐ Other

DISTRIBUTION: ☐ BD ☐ CA ☐ CC ☐ CM ☐ CD ☐ FI ☐ FD ☐ FM ☐ GC ☐ HR ☐ MD ☐ PD ☐ PR ☐ UD

Form: CCAI;5.23.02

Approved at the City Commission Meeting
Held on 4.5.11
Voted: 5-0 Initial: [Signature]

- k) All meetings will be conducted in accordance with parliamentary procedures as set forth and explained in the latest revised edition of Robert's Rules of Order, which shall serve as a guide for the rules of procedure of the meetings;
- l) Minutes of its proceedings, indicating the attendance of each member and decision of each member, shall be kept, signed by the chair and filed with the City Clerk;
- m) Members shall serve without compensation;
- n) An AAC member may request information from the Airport Manager, which is necessary in order to carry out specific roles and responsibilities; and
- o) The AAC shall provide advice and make recommendations to the City Commission as follows:

1. Make recommendations regarding a comprehensive plan for the physical development and betterment of the Airport;

2. Make recommendations on the operation of the Airport and for the improvement of the operation;

3. Make recommendations regarding the sale or lease of City-owned property located on or adjacent to the Airport and land use of property adjacent to the Airport or land use of nearby property that could reasonably affect or prevent safe operations at the Airport;

4. Make recommendations regarding the requested use or proposed grant of concessions on the Airport property;

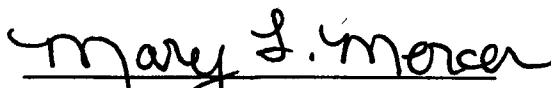
5. Make recommendations regarding policies, such as Airport Rules and Regulations and Airport Minimum Standards, and rates to be charged for the use of Airport property, including hangar rent, Airport use fees, landing fees, parking fees, and other charges to the general public for the use of the Airport; and

6. Perform all acts requested by the City Commission to advise and assist in the continued operation and betterment of the Airport.

SECTION 2. This Resolution shall become effective immediately upon its final passage.

ADOPTED this 5th day of April, 2011.

ATTEST:


Mary L. Mercer
City Clerk

CITY OF FERNANDINA BEACH


Susan Hardee Steger
Mayor - Commissioner

APPROVED AS TO FORM:


Tammi E. Bach
City Attorney

RESOLUTION 2012-118

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ESTABLISHING A COMMUNITY REDEVELOPMENT AGENCY (CRA) ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution 2004-71 declared the City Commission to be the Community Redevelopment Agency pursuant to Florida Statutes Section 163.357; and

WHEREAS, the City's Community Redevelopment Agency is interested in receiving recommendations and advice from property owners, businesses, real estate and design professionals and citizens regarding the Amelia River Waterfront Community Redevelopment Area (CRA);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

Section 1. **CREATION.** The Amelia River Waterfront Community Redevelopment Agency (CRA) Advisory Board is hereby created.

Section 2. **PURPOSE.** The Amelia River Waterfront CRA Advisory Board is charged with the task of advising the Community Redevelopment Agency on issues including implementation of the CRA Plan by providing recommendations and assistance in identifying and prioritizing projects to be undertaken as consistent with the CRA Plan. The focus of this group is economic development of properties in the City's established CRA and the adjoining Central Business District with specific consideration on attracting and retaining businesses.

Section 3. **MEMBERSHIP.** The Amelia River Waterfront CRA Advisory Board shall consist of seven (7) members. Members shall either reside within the City of Fernandina Beach or shall be engaged in business within the City of Fernandina Beach. The composition and representative membership of the Board shall be as follows:

*3- Legal Professional or Financial Professional or Marketing/ Advertising/ Branding Professional or Economic Development Professional or General Contractor or Developer or Project Manager or Real Estate Professional or Architect or Engineer or Landscape Professional or Former City Commissioner

2- City Residents or Property Owners or Business Owners

1- Business Owner or Property Owner (or their agent) within the Amelia River Waterfront CRA

1- Resident of the Amelia River Waterfront CRA or within one-mile radius

7 Total Voting Members

*Retired Professionals/ Individuals are acceptable

Section 4. **TERM OF MEMBERSHIP.** Members appointed to the Amelia River Waterfront CRA Advisory Board shall serve for terms of three (3) years and may be re-appointed. Terms for members first appointed shall be staggered so that two members shall serve for two (2) years and the remaining for three (3) years. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Section 5. **QUORUM.** A quorum shall consist of four (4) members.

Section 6. **MEETINGS.** The Amelia River Waterfront CRA Advisory Board shall hold an organizational meeting within thirty (30) days of the effective date of this resolution. At the organizational meeting, a Chairperson shall be elected to serve for a period of one (1) year and a new Chairperson shall be elected each subsequent year. At the organizational meeting, the Board shall

establish a meeting schedule which shall be held, at least, monthly.

Section 7. ATTENDANCE. Any member, who misses three (3) consecutive Amelia River Waterfront CRA Advisory Board meetings, unless otherwise excused by the Chairperson, shall automatically be removed from membership.

Section 8. SUNSHINE LAW. Meetings of the Amelia River Waterfront CRA Advisory Board are "public meetings" as defined by Florida Statutes Section 286.011 and are open to the public and are otherwise subject to Florida's "Sunshine Law". Reasonable notice of the time and place of all meetings shall be given consistent with Florida Law and Fernandina Beach City policy.

Section 9. PROCEDURAL RULES. The City of Fernandina Beach City Commission Rule of Procedure shall be followed in conducting meetings of the Amelia River Waterfront CRA Advisory Board.

Section 10. STAFFING. The City Manager shall appoint a City employee to serve as the staff member for the Amelia River Waterfront CRA Advisory Board.

Section 11. AMENDMENT. This Resolution, and all provisions herein, may be amended at the discretion of the CRA Agency by an affirmative vote of a majority of members present at a regularly scheduled meeting.

Section 12. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

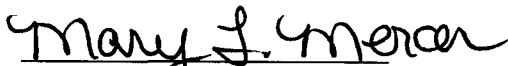
ADOPTED this 7th day of August, 2012.

CITY OF FERNANDINA BEACH

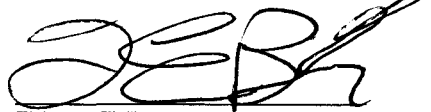


ARLENE R. FILKOFF
Commissioner - Mayor

ATTEST:


MARY MERCER
City Clerk

APPROVED AS TO FORM:



TAMMI E. BACH
City Attorney



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Resolution 2012- 118
Establishing the Amelia River Waterfront CRA Advisory Board

DEPARTMENT: Community Development Department- Planning

ATTACHMENTS: ☐ Ordinance ☒ Resolution
☐ Support Documents ☐ Other

RECOMMENDED ACTION: APPROVE RESOLUTION 2012- 118

SUMMARY: The CRA Agency took action to recommend establishing a CRA Advisory Board at its July 17, 2012 quarterly meeting. This resolution provides the mechanism with which an advisory board can be established.

RATIONALE: To create an advisory board capable of providing recommendations and assistance to the CRA Agency in identifying and prioritizing projects to be undertaken as consistent with the CRA Plan. The focus of this group will be on the economic development of properties in the City's established CRA and the adjoining Central Business District with specific consideration on attracting and retaining businesses.

FISCAL IMPACT: None.

CITY ATTORNEY COMMENTS: No additional comments

DEPARTMENT HEAD Submitted: Kelly N. Gibson/Marshall McCrary Date: 7/18/2012

FINANCE DEPARTMENT Requested Agenda Regular Meeting Date: 8/7/2012

CITY ATTORNEY Approved as to Budget Requirements Date:

CITY MANAGER Approved as to Form TEB Date: 7/26/12

Approved Agenda Item For 08-07-12 quid Date: 7/30/12

COMMISSION ACTION: ☒ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Postponed to Time Certain
☐ Other ☐ Tabled

Approved at the City Commission
Regular Meeting
Held on 8-7-12
Voted: 5-0 Initial: MD

cc: Kelly Gibson
sent 8/22/12
rmm

CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: CRA Advisory Board Appointments

DEPARTMENT: City Clerk

ATTACHMENTS: ☐ Ordinance ☐ Resolution
☐ Support Documents ☒ Other

RECOMMENDED ACTION: Consideration of approval of board appointments to the Community Redevelopment Agency (CRA) in accordance with the CRA recommendation to establish a CRA Advisory Board at its July 17, 2012 quarterly meeting, and Resolution #2012-118 which established a CRA Advisory Board on August 7, 2012.

SUMMARY: The Community Redevelopment Agency (CRA) Advisory Board shall consist of seven (7) members. Members shall either reside within the City of Fernandina Beach or shall be engaged in business within the City of Fernandina Beach. The composition and representative membership of the Board shall be as follows:

*3 – Legal Professional or Financial Professional or Marketing/Advertising/Branding Professional or Economic Development Professional or General Contractor or Developer or Project Manager or Real Estate Professional or Architect or Engineer or Landscape Professional or Former City Commissioner

*(*Retired Professionals/Individuals are acceptable)*

2 – City Residents or Property Owners or Business Owners

1 – Business Owner or Property Owner (or their agent) within the Amelia River Waterfront CRA

1 – Resident of the Amelia River Waterfront CRA or within one-mile radius

CRA Advisory Board Members shall serve for terms of three (3) years; however, terms for members first appointed shall be staggered so that two members shall serve for two (2) years and the remaining for three (3) years. The following citizens have submitted their board application/resume for consideration for appointment members to the CRA Advisory Board:

- Lou Goldman (Real Estate Professional/General Contractor/Property Owner Downtown & CRA area/City resident CRA area)
- Tony Herndon (City Resident/Business Owner)
- Marla McDaniel (City Resident CRA area/Property Owner)
- Mike Zaffaroni (City Resident/Landscape Professional)
- Cindy Jackson (Downtown/CRA area Business Owner)
- Debra Stephenson (Retired Professional/ City Resident)
- Andrew Curtin (Retired Professional/ City Resident)
- Asa Gillette (Practicing Engineer/ City Resident/ Downtown Business Owner)

The above applicants listed are City residents and/or engaged in business within the City of Fernandina Beach.

RATIONALE: To fulfill requirements of Resolution #2012-118

FISCAL IMPACT: None.

CITY ATTORNEY COMMENTS: N/A

DEPARTMENT HEAD	Submitted: Mary L. Mercer, City Clerk <i>(initials)</i>	Date: 8/8/2012
	Requested Agenda Regular Meeting	Date: 8/21/2012
FINANCE DEPARTMENT	Approved as to Budget Requirements N/A	Date:
CITY ATTORNEY	Approved as to Form N/A	Date:
CITY MANAGER	Approved Agenda Item For 8-21-12 <i>je</i>	Date: 8-9-12

COMMISSION ACTION:

☒ Approved As Recommended	☐ Disapproved
☐ Approved With Modification	☐ Postponed to Time Certain
☐ Other	☐ Tabled

The City Commission voted to appoint the following members to the CRA Advisory Board for three (3) year terms:
Loy Goldman, Mike Zaffaroni, Debra Stephenson, Andrew Curtin, and Lisa Gillette.
For two (2) year terms:
Tony Herndon and Marla McDaniel
Ms. Cindy Jackson withdrew her application at this time.

SECTIONS IN CONFLICT; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
Synopsis: Approving a Franchise Agreement with Advanced Disposal Services Stateline, LLC for a period of six (6) years.

APPROVED: 5-0 with the latest changes to the Agreement as outlined by City Attorney Bach.

9. BOARD APPOINTMENTS

9.1 AUDIT COMMITTEE- 4 Appointments. Moved to the next City Commission meeting.

ACTION TAKEN: It was the consensus of the Commission to place this item on the next City Commission agenda and include all applicants resumes including the previous Audit Committee members and the Commission would consider all applicants and choose a committee of 4 plus appoint 1 City Commissioner for a total of five (5) on the Audit Committee.

9.2 BOARD OF ADJUSTMENT – 2 Appointments

ACTION TAKEN: The City Commission voted 5-0 to reappoint Pat Gass and Wyndham Riotte for a three year term expiring June 2015.

9/3 PLANNING ADVISORY BOARD – 1 Appointment. .

ACTION TAKEN: The City Commission voted 5-0 to appoint Charles W. Rogers as Alternate #2 for a three year term expiring June 2015.

10. DISCUSSION – DIRECTION – ACTION ITEMS

10.1 COMMUNITY REDEVELOPMENT AREA (CRA) UPDATE.

ACTION TAKEN: It was the consensus of the Commission for: (1) the City Commission to remain the CRA Agency; (2) The CRA Agency continue meeting quarterly; (3) the CRA Agency to create an Advisory Board; (4) for the CRA Agency to re-set the base year; and (5) for the CRA Agency to keep the boundaries the same as they currently are.

- 11. CITY MANAGER REPORTS –** City Manager Joe Gerrity announced his attendance at two meetings, one being the Safety Committee and the other regarding Workers' Compensation Insurance. Being the percentage rate of the insurance is calculated by the percentage of accidents incurred; Mr. Gerrity reported the City's insurance rate is higher than had been in the past noting a higher Worker's Compensation bill. City Manager Joe Gerrity expressed his desire to have the safety sign reinstated showing the public the running total of accident free days worked with the hopes that the visual will increase safety awareness.

- 12. CITY ATTORNEY REPORTS –** No reports at this time.

- 13. CITY CLERK REPORTS –** No reports at this time.

- 14. MAYOR/COMMISSIONER COMMENTS –**

Commissioner Pelican: Expressed her thanks to all those who contributed toward the fireworks display and invited everyone to a firework fund raiser to be held Wednesday, June 20, 2012 at the Crab Trap from 5-7 pm.

Commissioner Poynter: Addressed the public regarding this budget period and difficult decision making of the Commission that no action is directed to any one individual or group and the budget has many moving parts necessary to keep the City running efficiently. He stated that no action or decision

The 2012 Florida Statutes

Title XI
COUNTY ORGANIZATION AND
INTERGOVERNMENTAL RELATIONS

Chapter 163
INTERGOVERNMENTAL
PROGRAMS

[View Entire
Chapter](#)

163.357

(1)(a) As an alternative to the appointment of not fewer than five or more than seven members of the agency, the governing body may, at the time of the adoption of a resolution under s. 163.355, or at any time thereafter by adoption of a resolution, declare itself to be an agency, in which case all the rights, powers, duties, privileges, and immunities vested by this part in an agency will be vested in the governing body of the county or municipality, subject to all responsibilities and liabilities imposed or incurred.

(b) The members of the governing body shall be the members of the agency, but such members constitute the head of a legal entity, separate, distinct, and independent from the governing body of the county or municipality. If the governing body declares itself to be an agency which already exists, the new agency is subject to all of the responsibilities and liabilities imposed or incurred by the existing agency.

(c) A governing body which consists of five members may appoint two additional persons to act as members of the community redevelopment agency. The terms of office of the additional members shall be for 4 years, except that the first person appointed shall initially serve a term of 2 years. Persons appointed under this section are subject to all provisions of this part relating to appointed members of a community redevelopment agency.

(d) As provided in an interlocal agreement between the governing body that created the agency and one or more taxing authorities, one or more members of the board of commissioners of the agency may be representatives of a taxing authority, including members of that taxing authority's governing body, whose membership on the board of commissioners of the agency would be considered an additional duty of office as a member of the taxing authority governing body.

(2) Nothing in this part prevents the governing body from conferring the rights, powers, privileges, duties, and immunities of a community redevelopment agency upon any entity in existence on July 1, 1977, which has been authorized by law to function as a downtown development board or authority or as any other body the purpose of which is to prevent and eliminate slums and blight through community redevelopment plans. Any entity in existence on July 1, 1977, which has been vested with the rights, powers, privileges, duties, and immunities of a community redevelopment agency is subject to all provisions and responsibilities imposed by this part, notwithstanding any provisions to the contrary in any law or amendment thereto which established the entity. Nothing in this act shall be construed to impair or diminish any powers of any redevelopment agency or other entity as referred to herein in existence on the effective date of this act or to repeal, modify, or amend any law establishing such entity, except as specifically set forth herein.

History.—s. 2, ch. 77-391; s. 75, ch. 79-400; s. 2, ch. 83-231; s. 5, ch. 84-356; s. 3, ch. 2006-307.

RESOLUTION 2018-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ESTABLISHING THE MARINA ADVISORY BOARD; PROVIDING FOR GOALS, MISSION, ORGANIZATION, CONDUCT OF BUSINESS AND STAFF SUPPORT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Marina is of vital importance to the City of Fernandina Beach as a landmark; and

WHEREAS, the City of Fernandina Beach is responsible for management of Marina operations;
and

WHEREAS, the City Commission has established advisory boards for other enterprise funds, such as the Fernandina Beach Municipal Airport and Fernandina Beach Golf Course; and

WHEREAS, in June 2018, the City Commission decided to consider a Marina Advisory Board as a way to generate feedback from community members; and

WHEREAS, the City Commission wishes to establish the Marina Advisory Board and set forth its roles and responsibilities as an ad hoc advisory board to the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby creates the Marina Advisory Board ("MAB"), which is officially designated as an ad hoc advisory board to the City Commission, and is responsible for adhering to the following:

- a) The MAB will consist of seven members and one non-voting member appointed by the City Commission; four of the voting members must be permanent slip holders/renters in the Fernandina Harbor Marina.
- b) All voting members must reside within the City limits, but the non-voting member does not have to reside within City limits; and a voting member who moves outside of the City must be removed immediately.
- c) Each member of the MAB serves at the pleasure of the City Commission.
- d) The term of office for inaugural board members will be staggered: two voting members will be appointed for one-year terms (expiring September 30, 2019); two voting and the one non-voting member will be appointed to two-year terms (expiring September 30, 2020) and three voting members will be appointed to three-year terms (expiring September 30, 2021).
- e) Thereafter, all terms will be for three years, with expiring terms concluding on September 30 and new terms beginning on October 1.
- f) Members will attend all regular and additional meetings. Regular meetings will be conducted monthly. Additional meetings may be called with the consent of four voting members. All meetings will convene at City Hall.
- g) Any member who has been absent for three regular meetings in one fiscal year (October-September) is subject to removal by the City Commission.
- h) The MAB will have the following officers: a Chairperson and a Vice-Chairperson to conduct each meeting and a Recording Secretary to record the proceedings of each

meeting in accordance with applicable State statutes and City policies. The non-voting member may not serve as a MAB officer.

- i) The Chairperson and Vice-Chairperson will serve one-year terms (commencing October 1) and are appointed annually by the voting members of the MAB.
- j) For the purpose of transacting business at any meeting, a majority of voting MAB members will constitute a quorum.
- k) The MAB meetings are open to the public and MAB members (including the non-voting member) are subject to the Florida Sunshine Law and Public Records Act.
- l) All meetings will be conducted in accordance with parliamentary procedures as set forth and explained in the latest revised edition of Robert's Rules of Order, which will serve as a guide for the rules of procedure of the meetings.
- m) Minutes of its proceedings, indicating the attendance of each member and decision of each member, shall be kept, signed by the Chairperson and filed with the City Clerk.
- n) Members shall serve without compensation.
- o) A majority of MAB members may request information from the Marina Manager at a public meeting, which is necessary in order to carry out specific roles and responsibilities.
- p) The MAB shall provide advice and make recommendations to the City Commission as follows:
 - 1. Make recommendations regarding a comprehensive plan for the physical development and betterment of the Marina.
 - 2. Make recommendations on the operation of the Marina and for the improvement of the operations.
 - 3. Make recommendations regarding policies, such as Marina Rules and Regulations and the Marina Code of Conduct.
 - 4. Perform additional functions as requested by the City Commission to advise and assist in the continued operation and betterment of the Marina.
- q) The City Commission and City Manager shall provide requested information to the MAB within a reasonable amount of time.

SECTION 2. This Resolution shall become effective immediately upon its final passage.

ADOPTED this 17th day of July, 2018.

ATTEST:



Caroline Best
City Clerk

CITY OF FERNANDINA BEACH



John A. Miller
Mayor – Commissioner

APPROVED AS TO FORM & LEGALITY:



Tammi E. Bach
City Attorney

RESOLUTION 2017-82

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUNSETTING THE GREENS AND OVERSIGHT COMMITTEE; CREATING A GOLF COURSE ADVISORY BOARD; DEFINING ITS POWERS, DUTIES AND RESPONSIBILITIES; PROVIDING FOR MEMBERSHIP, TERMS, QUORUM, ORGANIZATION, ROLE, POWERS AND DUTIES, AND MEETING FREQUENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach, Florida, is the owner and operator of the Fernandina Beach Municipal Golf Course; and

WHEREAS, the City Commission wishes to sunset the existing Greens and Oversight Committee established via Resolution 2014-10; and

WHEREAS, the City Commission wishes to create a Golf Course Advisory Board to replace the Greens and Oversight Committee; and

WHEREAS, the City Commission has determined that the Golf Course Advisory Board is to consist of five members with terms of office to be for a period of three years for three of the members, and one-year terms for the Men's and Ladies' Golf Association appointees; and

WHEREAS, that for the initial staggered terms, one person will be appointed for a one-year term; two persons for a two-year term, and two persons for a three-year term with the terms of the appointees to be determined in alphabetical order; one member each of the Men's and Ladies Golf Associations with the term of appointment to be for one year; and

WHEREAS, the City Commission shall appoint a City Commissioner liaison to interact with the Golf Course Advisory Board; and

WHEREAS, the Golf Course Advisory Board will serve in an advisory capacity only with no authority or control over the general manager or management company and will make their suggestions or recommendations to the City Commission through the general manager or management company and the City Manager; and

WHEREAS, the City Commission has determined it to be advisable and appropriate to clearly define this Board and to spell out the eligibility and terms of its appointments and to enumerate the purposes for which the Board has been formed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The Golf Course Advisory Board.

The Board shall consist of five members, who shall be residents of the City of Fernandina Beach, Florida, and shall be appointed by the City Commission of said City. One member each shall be elected by the Men's Golf Association and the Ladies' Golf Association to serve for a period of one year, with the concurrence of the City Commission, and shall be eligible for re-election by their associations and re-appointment by the City Commission. The three remaining board members shall be appointed by the City Commission and shall serve for a term of three years, each with the eligibility for reappointment. Any

vacancy in membership shall be filled for the unexpired term by the City Commission. All members shall serve without compensation and at the pleasure of the City Commission but may be reimbursed for actual expenses incurred in connection with their official duties.

SECTION 2. The initial staggered terms of the five appointees shall **expire** as follows:

- Two members from the Men's and Ladies' Golf Associations each in June 2018;
- One member in June 2019;
- Two members in June 2020.

SECTION 3. Quorum.

Three members of the Golf Course Advisory Board shall constitute a quorum for the transaction of business, providing, however, that no action shall be taken which is binding upon said Board unless concurred in by no less than a majority of all members comprising the Board.

SECTION 4. Organization.

The Golf Course Advisory Board shall elect a Chairperson, Vice-Chairperson, and Secretary from among its members. The term of these positions shall be one year with eligibility for re-election. The Board shall adopt its own rules of procedure and determine its time of meeting. All meetings of the Board shall be open to the public and all records of the Board shall be public records.

SECTION 5. Role.

The Golf Course Advisory Board is an advisory board to the City Commission and shall review activities at the Fernandina Beach Municipal Golf Course with the management team and report to the City Commission/City Manager (or City Commission designee) to assure the best possible management practices.

SECTION 6. Powers and Duties.

- A. To make recommendations as to the hours of operation, the programs and services that will be available to the public and the care and conditions of all golf course facilities;
- B. Make recommendations regarding policies and rates to be charged for the use of facilities and equipment that is available for use by the general public;
- C. Review Marketing plans. Efforts to increase rounds/revenue (mailings, emails, website, tournaments, etc.);
- D. Make recommendations for the expenditure of funds and assist in the preparation of budgets;
- E. To provide the City Clerk with copies of minutes covering meetings of the Board and prepare and submit to the City Commission as soon as possible after the end of the fiscal year a comprehensive annual report of the Board's activities.

SECTION 7. Meeting Frequency.

- A. The Golf Course Advisory Board shall meet on a monthly basis;
- B. The Golf Course Advisory Board and the City Commissioner liaison shall meet at least on a quarterly basis; and
- C. The Golf Course Advisory Board and the Fernandina Beach Golf Course Management team shall meet on a monthly basis.

SECTION 8. This Resolution shall become effective immediately upon passage.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH



Robin C. Lentz
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



Caroline Best
City Clerk



Tammi E. Bach
City Attorney

RESOLUTION NUMBER 934

A RESOLUTION TO AMEND THE MAKE UP OF THE GOLF COURSE ADVISORY BOARD; DEFINING ITS POWERS, DUTIES AND RESPONSIBILITIES; PROVIDING FOR MEMBERSHIP, VACANCIES, REMOVAL, QUORUM, ORGANIZATION, RULES, FINANCES, AND REPORTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach, Florida, is the owner and operator of the Fernandina Beach Municipal Golf Course; and

WHEREAS, the City Commission did determine, at a regular meeting held on November 4, 1980, to form a Golf Course Advisory Committee to consist of five members with the term of office to be for a period of three years; and

WHEREAS, that for the first term, one person would be appointed for a one year term; two persons for a two year term and two persons for a three year term with the terms of the appointees to be determined in alphabetical order; and

WHEREAS, the committee would serve in an advisory capacity only with no authority or control over the Golf Pro and would make their suggestions or recommendations to the City Commission through the Golf Pro and the City Manager; and

WHEREAS, the City Commission did determine, at a regular meeting held on August 16, 1983, to increase the membership of the committee to include one member each of the Men's and Ladies Golf Associations with the term of appointment to be for one year; and

WHEREAS, the current Golf Course Advisory Committee has requested that the appointment of the members be redefined and that the accepted title of the committee be "The Golf Course Advisory Board"; and

WHEREAS, the City Commission has determined it to be advisable and appropriate to clearly define this advisory group and to spell out the eligibility and terms of its appointments and to enumerate the purposes for which the board has been formed.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA, FLORIDA:

SECTION 1. The Golf Course Advisory Board.

There shall be a golf course advisory committee that will hereafter be known as "The Golf Course Advisory Board". The Board shall consist of seven (7) members, who shall be residents of the City of Fernandina Beach, Florida, and shall be appointed by the City Commission of said City. One member, each, shall be elected by the Men's Golf Association and the Ladies Golf Association to serve for a period of one (1) year, with the concurrence of the City Commission, and shall be eligible for re-election by their association and re-appointment by the City Commission. The five (5) remaining board members shall be appointed by the City Commission and shall serve for the term of three (3) years, each with the eligibility for reappointment. Any vacancy in membership shall be filled for the unexpired term by the City Commission who shall have the authority to remove any member for cause, upon written notice of the reason for such removal and after a public hearing on the same, if such hearing is requested by the member in accordance with Section 1A-22 of the Code. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

The present terms of the five (5) city appointees shall expire as follows:

Two (2) members on December 1988
One (1) member on December 1989
Two (2) members on December 1990

Section 2. Quorum.

Four (4) members of the Golf Course Advisory Board shall constitute a quorum for the transaction of business, providing, however, that no action shall be taken which is binding upon said Board unless concurred in by no less than a majority of all members comprising the Board.

Section 3. Organization.

The Golf Course Advisory Board shall elect a Chairman, Vice-Chairman, and Secretary from among its members. The term of these positions shall be one (1) year with eligibility for re-election. The Board shall adopt its own rules of procedure and determine its time of meeting. All meetings of the Board shall be open to the public and all records of the Board shall be public records.

Section 4. Powers and Duties.

The Golf Course Advisory Board shall perform only in an advisory capacity to the Golf Pro, the City Manager and the City Commission and will be responsible for assisting in the following areas:

- A. To make recommendations as to the hours of operation, the programs and services that will be available to the public and the care and conditions of all golf course facilities;
- B. Prepare and recommend for adoption, by the City Commission, a comprehensive plan for the physical development and betterment of the Municipal Golf Course, and revise and perfect it from time to time;
- C. Make recommendations regarding policies and rates to be charged for the use of facilities and equipment that is available for use by the general public;
- D. Make recommendations for the expenditure of public funds and assist in the preparation of budgets for the expenditure of such funds;
- E. To provide the City Clerk with copies of minutes covering meetings of the Board and prepare and submit to the City Commission as soon as possible after the end of the fiscal year a comprehensive annual report of the Board's activities;
- F. Perform all acts requested by the City Commission, City Manager and Golf Pro to advise and assist in the continued operation and betterment of the Municipal Golf Course.

Section 5. This Resolution shall take effect immediately upon its adoption by the City Commission.

ADOPTED this 4th day of October, 1988.

CITY OF FERNANDINA BEACH

Ronnie Sapp
RONNIE SAPP
Mayor - Commissioner

ATTEST:

Vicki P. Wingate
VICKI P. WINGATE
City Clerk

CORRECTED
RESOLUTION 2014-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUNSETTING THE GOLF COURSE ADVISORY BOARD; CREATING A GREENS AND OVERSIGHT COMMITTEE; DEFINING ITS POWERS, DUTIES AND RESPONSIBILITIES; PROVIDING FOR MEMBERSHIP, VACANCIES, REMOVAL, QUORUM, ORGANIZATION, RULES, FINANCES, AND REPORTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach, Florida, is the owner and operator of the Fernandina Beach Municipal Golf Course; and

WHEREAS, the City Commission wishes to sunset the existing Golf Course Advisory Board established via Resolution 934; and

Whereas, the City Commission has decided to create a Greens and Oversight Committee to replace said Golf Course Advisory Board; and

WHEREAS, the City Commission has determined that the Greens and Oversight Committee is to consist of seven (7) members with the term of office to be for a period of three (3) years; and

WHEREAS, the City Commission shall appoint a City Commissioner liaison to interact with the Greens and Oversight Committee; and

WHEREAS, the Greens and Oversight Committee will serve in an oversight capacity only with no authority or control over the general manager or management company and would make their suggestions or recommendations to the City Commission through the general manager or management company and the City Manager; and

WHEREAS, the City Commission has determined it to be advisable and appropriate to clearly define this committee and to spell out the eligibility and terms of its appointments and to enumerate the purposes for which the committee has been formed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The Greens and Oversight Committee.

The Committee shall consist of seven (7) members, who shall be residents of the City of Fernandina Beach, Florida, and shall be appointed by the City Commission of said City. One (1) member, each, shall be elected by the Men's Golf Association and the Ladies Golf Association to serve for a period of one (1) year, with the concurrence of the City Commission, and shall be eligible for re-election by their association and re-appointment by the City Commission. The five (5) remaining board members shall be appointed by the City Commission and shall serve for the term of three (3) years, each with the eligibility for reappointment. Any vacancy in membership shall be filled for the unexpired term by the City Commission. All members shall serve without compensation and at the pleasure of the City Commission but may be reimbursed for actual expenses incurred in connection with their official duties.

SECTION 2. Quorum.

Four (4) members of the Greens and Oversight Committee shall constitute a quorum for the transaction of business, providing, however, that no action shall be taken which is binding upon said Committee unless concurred in by no less than a majority of all members comprising the Committee.

SECTION 3. Organization.

The Greens and Oversight Committee shall elect a Chairperson, Vice-Chairperson, and Secretary from among its members. The term of these positions shall be one (1) year with eligibility for re-election. The Committee shall adopt its own rules of procedure and determine its time of meeting. All meetings of the Committee shall be open to the public and all records of the Committee shall be public records.

SECTION 4. Role.

The Greens and Oversight Committee shall review activities at the Fernandina Beach Golf Course with the Fernandina Beach Golf Course management team and report to the City Commission/City Manager (or City Commission designee) to assure the best possible management of the Golf Course.

SECTION 5. Powers and Duties.

- A. Review financial results versus submitted Golf Course Management plan;
- B. Review Golf Course Maintenance plans and track results versus the timeline established by the Golf Course Management team for the following:
 - 1. Cutting schedule for tees, greens, rough and fairways;
 - 2. Chemical treatment schedule;
 - 3. Irrigation schedule;
 - 4. Clubhouse maintenance schedule;
 - 5. Curb appeal (what the customer experiences/views upon arrival at the golf course);
 - 6. Safety;
- C. Review Food and Beverage plan/results;
- D. Review Marketing plans. Efforts to increase rounds/revenue (mailings, emails, website, tournaments, etc.);
- E. The City Commissioner liaison/City Manager shall meet the Greens and Oversight Committee chairperson for visual review;
- F. The City Commissioner liaison shall be made available to assist the Greens and Oversight Committee at any time;
- G. To provide the City Clerk with copies of minutes covering meetings of the Committee and prepare and submit to the City Commission as soon as possible after the end of the fiscal year a comprehensive annual report of the Committee's activities.

OVERALL GOAL OF THE GREENS AND OVERSIGHT COMMITTEE:

Assist the City Commission/City Manager in the management of the Fernandina Beach Golf Course by reviewing the seven (7) areas (A-G above), identifying deficiencies, and determining the next steps with the Fernandina Beach Golf Course Management team. The Fernandina Beach Golf Course Management team will readily share operational plans and results with the Greens and Oversight Committee. The Greens and Oversight Committee also shall contribute to maintenance budget reviews with the Fernandina Beach Golf Course Management team.

SECTION 6. Meeting Frequencies.

- A. The Greens and Oversight Committee shall meet on a monthly basis;
- B. The Greens and Oversight Committee and the City Commissioner liaison shall meet on a quarterly basis;
- C. The Greens and Oversight Committee and the Fernandina Beach Golf Course Management team shall meet on a quarterly basis.

SECTION 7. This Resolution shall become effective immediately upon passage.

ADOPTED this 4th day of March, 2014.

CITY OF FERNANDINA BEACH



Edward E. Boner
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



Caroline Best
City Clerk



Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: **CORRECTED** Resolution 2014-10
Sunsetting the Golf Course Advisory Board and Creating the Greens & Oversight Committee

DEPARTMENT: City Commission

ATTACHMENTS: ☐ Ordinance ☒ Resolution
☐ Support Documents ☐ Other

RECOMMENDED ACTION: Approve Resolution 2014-10

SUMMARY: This Resolution was adopted on January 21, 2014 at a special City Commission meeting. The Resolution contained some scrivener errors regarding a 5-member board when the new Greens & Oversight Committee will have 7 members as approved by the City Commission. Adoption of this corrected Resolution makes clear the City Commission's intent that the Greens and Oversight Committee have 7 members with 3-year terms for 5 members and 1-year terms for Men's and Women's Golf Association appointed members.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

DEPARTMENT HEAD	Submitted by: Joe Gerrity City Manager	Date: 2/25/2014
	Requested Agenda	Date: 3/04/2014
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date:
CITY ATTORNEY	Approved as to Form & Legality <i>TB</i>	Date: 2/25/2014
CITY MANAGER	Approved Agenda Item for 03/04/2014 <i>Just</i>	Date: 2/25/2014

COMMISSION ACTION: ☒ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Postponed to Time Certain
☐ Other ☐ Tabled

Approved at the City Commission
Regular Meeting
Held on *3/4/14*
Voted: *5-0* Initial: *JB*

CORRECTED
RESOLUTION 2014-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUNSETTING THE GOLF COURSE ADVISORY BOARD; CREATING A GREENS AND OVERSIGHT COMMITTEE; DEFINING ITS POWERS, DUTIES AND RESPONSIBILITIES; PROVIDING FOR MEMBERSHIP, VACANCIES, REMOVAL, QUORUM, ORGANIZATION, RULES, FINANCES, AND REPORTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach, Florida, is the owner and operator of the Fernandina Beach Municipal Golf Course; and

WHEREAS, the City Commission wishes to sunset the existing Golf Course Advisory Board established via Resolution 934; and

Whereas, the City Commission has decided to create a Greens and Oversight Committee to replace said Golf Course Advisory Board; and

WHEREAS, the City Commission has determined that the Greens and Oversight Committee is to consist of ~~five (5)~~ seven (7) members with the term of office to be for a period of three (3) years; and

~~WHEREAS, that for the first term, one (1) person would be appointed for a one (1) year term; two (2) persons for a two (2) year term and two (2) persons for a three (3) year term with the terms of the appointees to be determined in alphabetical order; one (1) member each of the Men's and Ladies Golf Associations with the term of appointment to be for one (1) year; and~~

WHEREAS, the City Commission shall appoint a City Commissioner liaison to interact with the Greens and Oversight Committee; and

WHEREAS, the Greens and Oversight Committee will serve in an oversight capacity only with no authority or control over the general manager or management company and would make their suggestions or recommendations to the City Commission through the general manager or management company and the City Manager; and

WHEREAS, the City Commission has determined it to be advisable and appropriate to clearly define this committee and to spell out the eligibility and terms of its appointments and to enumerate the purposes for which the committee has been formed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The Greens and Oversight Committee.

The Committee shall consist of seven (7) members, who shall be residents of the City of Fernandina Beach, Florida, and shall be appointed by the City Commission of said City. One (1) member, each, shall be elected by the Men's Golf Association and the Ladies Golf Association to serve for a period of one (1) year, with the concurrence of the City Commission, and shall be eligible for re-election by their association and re-appointment by the City Commission. The five (5) remaining board members shall be appointed by the City Commission and shall serve for the term of three (3) years, each with the eligibility for reappointment. Any vacancy in membership shall be filled for the unexpired term by the City

Commission. All members shall serve without compensation and at the pleasure of the City Commission but may be reimbursed for actual expenses incurred in connection with their official duties.

~~SECTION 2. The present terms of the five (5) city appointees shall expire as follows:~~

~~One (1) member on February 2015~~

~~Two (2) members on February 2016~~

~~Two (2) members on February 2017~~

SECTION 2. Quorum.

Four (4) members of the Greens and Oversight Committee shall constitute a quorum for the transaction of business, providing, however, that no action shall be taken which is binding upon said Committee unless concurred in by no less than a majority of all members comprising the Committee.

SECTION 3. Organization.

The Greens and Oversight Committee shall elect a Chairperson, Vice-Chairperson, and Secretary from among its members. The term of these positions shall be one (1) year with eligibility for re-election. The Committee shall adopt its own rules of procedure and determine its time of meeting. All meetings of the Committee shall be open to the public and all records of the Committee shall be public records.

SECTION 4. Role.

The Greens and Oversight Committee shall review activities at the Fernandina Beach Golf Course with the Fernandina Beach Golf Course management team and report to the City Commission/City Manager (or City Commission designee) to assure the best possible management of the Golf Course.

SECTION 5. Powers and Duties.

- A. Review financial results versus submitted Golf Course Management plan;
- B. Review Golf Course Maintenance plans and track results versus the timeline established by the Golf Course Management team for the following:
 - 1. Cutting schedule for tees, greens, rough and fairways;
 - 2. Chemical treatment schedule;
 - 3. Irrigation schedule;
 - 4. Clubhouse maintenance schedule;
 - 5. Curb appeal (what the customer experiences/views upon arrival at the golf course);
 - 6. Safety;
- C. Review Food and Beverage plan/results;
- D. Review Marketing plans. Efforts to increase rounds/revenue (mailings, emails, website, tournaments, etc.);
- E. The City Commissioner liaison/City Manager shall meet the Greens and Oversight Committee chairperson for visual review;
- F. The City Commissioner liaison shall be made available to assist the Greens and Oversight Committee at any time;
- G. To provide the City Clerk with copies of minutes covering meetings of the Committee and prepare and submit to the City Commission as soon as possible after the end of the fiscal year a comprehensive annual report of the Committee's activities.

OVERALL GOAL OF THE GREENS AND OVERSIGHT COMMITTEE:

Assist the City Commission/City Manager in the management of the Fernandina Beach Golf Course by reviewing the seven (7) areas (A-G above), identifying deficiencies, and determining the next steps with the Fernandina Beach Golf Course Management team. The Fernandina Beach Golf Course Management team will readily share operational plans and results with the Greens and Oversight Committee. The Greens and Oversight Committee also shall contribute to maintenance budget reviews with the Fernandina Beach Golf Course Management team.

SECTION 6. Meeting Frequencies.

- A. The Greens and Oversight Committee shall meet on a monthly basis;
- B. The Greens and Oversight Committee and the City Commissioner liaison shall meet on a quarterly basis;
- C. The Greens and Oversight Committee and the Fernandina Beach Golf Course Management team shall meet on a quarterly basis.

SECTION 7. This Resolution shall become effective immediately upon passage.

ADOPTED this 4th day of March, 2014.

CITY OF F

ATTEST:

Caroline Best
City Clerk

Tan
City A.

*marked up
copy*

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution 2017-82

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-82

SYNOPSIS: The City Commission directed the City Attorney to prepare a Resolution sunsetting the Greens and Oversight Committee. This Resolution sunsets the Greens and Oversight Committee and creates a new Golf Course Advisory Board.

The original Golf Course Advisory Committee was created in 1980 with 5 members. In 1983, the City Commission increased the membership to seven members with a representative each from the Men's and Ladies' Golf Associations. In 1988, the City Commission changed the name to the Golf Course Advisory Board.

In 2014, the City Commission sunsetted the Golf Course Advisory Board and created the Greens and Oversight Committee. The duties of the Greens and Oversight Committee included very specific reviews of food/beverage plans, greens maintenance plans and marketing plans to determine if the goals set by the management company were being met and were in line with what the City Commission expected for results.

The Golf Course Advisory Board is tasked with more general advisory duties which include recommendations to the City Manager and City Commission regarding Golf Course operations, maintenance, budget, and marketing.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: See above.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-82.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 05/23/2017

COMMISSION ACTION: Adopt

RESOLUTION 2021-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE; PROVIDING FOR ITS CREATION AND PURPOSE; PROVIDING FOR APPOINTMENT; MEMBERSHIP; AND TERMS; PROVIDING FOR REMOVAL OF MEMBERS; PROVIDING FOR STAFFING; PROVIDING FOR MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission established the Fernandina Beach Youth Advisory Committee (YAC) by Resolution 2015-83; and

WHEREAS, its purpose was to provide student leaders a voice in City government and to give the City Commission benefit of local student body input; and

WHEREAS, due to lack of membership associated with residency requirements and students' competing priorities, YAC was sunset by Resolution 2017-148; and

WHEREAS, the City Commission, at their June 15, 2021, Workshop, expressed interest in forming a new Youth Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, that:

SECTION 1. The City Commission hereby established the Fernandina Beach Youth Advisory Committee.

- a) Creation and Purpose. There is hereby created a committee to be known as the "Fernandina Beach Youth Advisory Committee" hereinafter referred to as the "Committee." The Committee's role is to provide input and recommendations to the City Commission.
- b) Membership. The Committee will be open to up to five (5) members in grades 9-12. Students interested in serving on the Committee should apply to the City Clerk's Office.
- c) Appointment. Members will be appointed and removed in accordance with Section 2-122 of the Code of Ordinances of the City of Fernandina Beach.
- d) Organizational Matters. At any time after the initial meeting of the Committee, the Committee will adopt by-laws and may adopt rules of procedure deemed necessary for the conduct of its business.
- e) Support. The City Commission will designate a Commissioner to serve as a liaison to the Committee, who will assist with the administration and management of the Committee (including promotion, publicity, agenda preparation, etc.). The Information Technology Department will provide additional staff support for the Committee.

- f) Expenses. Members of the Committee serve without compensation. The City Commission of the City of Fernandina Beach, Florida, is hereby authorized and empowered to pay, from its general funds, such expenses as the Committee may incur in the performance of Committee duties.
- g) Leadership. The Committee will elect annually from its members, one chairperson, one as vice-chairperson, one recording secretary, and any other leadership role as determined by the Committee.
- h) Meetings. The Committee will meet quarterly (October, January, April, and July) at a regular time as determined by the Committee at its organizational meeting.
- i) Compliance with Ethics, Sunshine and Public Records Laws. When discussing potential recommendations to the City Commission of the City of Fernandina Beach, the Committee members are subject to the provisions of Part III of Chapter 112, the Code of Ethics for Public Officers and Employees, and all meetings for this purpose will be open to the public pursuant to § 286 .011, Florida Statutes, and the public record provisions of § 119.07, Florida Statute.

SECTION 2. This Resolution takes effect immediately upon passage.

ADOPTED this 6th day of July, 2021.

CITY OF FERNANDINA BEACH



MICHAEL A. LEDNOVICH
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



CAROLINE BEST
City Clerk



TAMMI E. BACH
City Attorney

RESOLUTION 2015-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE; PROVIDING FOR ITS CREATION AND PURPOSE; PROVIDING FOR APPOINTMENT OF MEMBERS; TERMS; PROVIDING FOR REMOVAL OF MEMBERS; PROVIDING FOR STAFFING; PROVIDING FOR MEETINGS; PROVIDING DUTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in April 2015, the City Commission by consensus expressed their interest in establishing a Youth Advisory Committee; and

WHEREAS, the general purpose is to give student leaders a voice in the City of Fernandina Beach government and to give the City Commissioners the benefit of student input; and

WHEREAS, students may:

1. Learn about City government and the democratic process;
2. Serve on additional City boards or committees as requested;
3. Develop and implement opportunities for other students to learn about City government;
4. Develop and maintain a network of students from whom the City Commissioners can request input; and
5. Develop and implement at least one community service project supporting a City function.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, that:

SECTION 1. The City Commission hereby establishes the Fernandina Beach Youth Advisory Committee:

(a) Creation and Role. There is hereby created a committee to be known as the "Fernandina Beach Youth Advisory Committee" hereinafter referred to as the "Committee." The Committee's role shall be to provide input and recommendations to the City Commission.

(b) Membership. The Committee shall be open to up to five (5) voting members in grades 9-12 and a secretary/clerk who is in grade 10. Students interested in serving on the Committee should submit an application to the City. The City Commissioners will appoint members to serve one-year terms to correspond with the school year.

(c) Removal of Members. By a majority vote, the Committee may request that the City Commission remove a member of the Committee who misses more than two consecutive meetings or events without notifying the Committee.

(d) Organizational Issues. At any time after the initial meeting of the Committee, the Committee shall adopt by-laws and may adopt rules of procedure deemed necessary for the conduct of its business.

(e) Expenses and Staff Support. Members of the Committee shall serve without compensation. The City Commission of the City of Fernandina Beach, Florida, is hereby authorized and empowered to pay, from its general funds, such expenses as the Committee may incur in the performance of Committee duties. At his/her discretion, the City Clerk shall provide staffing to

assist the Committee in the conduct of its business.

(f) Leadership. The Committee shall elect annually one of its members as its chairperson, one as vice-chairperson, one as secretary, and to any other leadership role as determined by the Committee.

(g) Meetings. The Committee shall meet as needed.

(h) Compliance with Ethics, Sunshine and Public Records Laws. When discussing potential recommendations to the City Commission of the City of Fernandina Beach, the members of the Committee are subject to the provisions of Part III of Chapter 112, the Code of Ethics for Public Officers and Employees, and all meetings for this purpose will be open to the public pursuant to § 286.011, Florida Statutes, and the public records provision of § 119.07, Florida Statutes.

SECTION 2. This Resolution shall take effect immediately upon passage

ADOPTED this 1st day of December, 2015.

CITY OF FERNANDINA BEACH



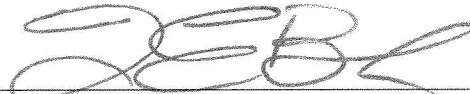
Edward E. Boner
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



Caroline Best
City Clerk



Tammi E. Bach
City Attorney

C. 000

CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Resolution 2015-83
Establishing the Fernandina Beach Youth Advisory Committee

DEPARTMENT: City Attorney

ATTACHMENTS: ☐ Ordinance ☒ Resolution
☐ Support Documents ☐ Other

RECOMMENDED ACTION: Approves Resolution 2015-83

SUMMARY: The attached Resolution authorizes the creation of a committee to be known as the Fernandina Beach Youth Advisory Committee. The Committee shall consist of five (5) members in grades 9-12. The inaugural Committee will consist of 5 students plus one alternate interested and selected by the City Commission. The City Commissioners will appoint members to serve one-year terms to correspond with the school year. Members of the Committee shall serve without compensation.

The inaugural board shall consist of 5 voting members (Dillon Basse, Bethy Spillane, Shanaya Thompson, Elizabeth Lai and Jesse Chapman) and one tenth grader to act as secretary/clerk to the Committee (Shelby Bradley). The City Commission will appoint a Commissioner liaison at its reorganizational meeting on December 15th. The first Youth Committee meeting will be held in January and posted as a public meeting after coordinating with student schedules.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No Additional Comments.

DEPARTMENT HEAD	Submitted by: Tammi E. Bach City Attorney	Date: 11/20/2015
	Requested Agenda	Date: 12/01/2015
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date:
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: 11/20/2015
CITY MANAGER	Approved Agenda Item for 12/01/2015 <i>mm</i>	Date: 11/20/2015

COMMISSION ACTION:	☒ Approved As Recommended	☐ Disapproved
	☐ Approved With Modification	☐ Postponed to Time Certain
	☐ Other	☐ Tabled

Approved at the City Commission
Regular Meeting
Held on *8/11/15*
Voted: *5-0* Initial: *TEB*

RESOLUTION 2017-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUNSETTING THE YOUTH ADVISORY COMMITTEE AND REPEALING RESOLUTION 2015-83; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in April 2015, the City Commission by consensus expressed their interest in establishing a Youth Advisory Committee and did so via Resolution 2015-83; and

WHEREAS, the general purpose of forming the Youth Advisory Committee was to give student leaders a voice in City of Fernandina Beach government and to give the City Commissioners the benefit of student input; and

WHEREAS, many of the students at Fernandina Beach High School are not City residents and unable to serve on the Commission's Youth Advisory Committee; and

WHEREAS, the City Commission believes it is in the best interests of the City for the Youth Advisory Committee to be sunsetted and consider adding ex-officio, non-voting student members to another City board (i.e. Parks & Recreation) to allow more high school students to learn about City government and provide input to City management without regard to their residency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby sunsets the Youth Advisory Committee and repeals Resolution 2015-83.

SECTION 2. This Resolution shall become effective immediately upon passage.

ADOPTED this 19th day of September, 2017.

CITY OF FERNANDINA BEACH



Robin C. Lentz
Commissioner – Mayor

ATTEST:



Caroline Best
City Clerk

APPROVED AS TO FORM & LEGALITY:



Tammi E. Bach
City Attorney

RESOLUTION 2015-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE; PROVIDING FOR ITS CREATION AND PURPOSE; PROVIDING FOR APPOINTMENT OF MEMBERS; TERMS; PROVIDING FOR REMOVAL OF MEMBERS; PROVIDING FOR STAFFING; PROVIDING FOR MEETINGS; PROVIDING DUTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in April 2015, the City Commission by consensus expressed their interest in establishing a Youth Advisory Committee; and

WHEREAS, the general purpose is to give student leaders a voice in the City of Fernandina Beach government and to give the City Commissioners the benefit of student input; and

WHEREAS, students may:

1. Learn about City government and the democratic process;
2. Serve on additional City boards or committees as requested;
3. Develop and implement opportunities for other students to learn about City government;
4. Develop and maintain a network of students from whom the City Commissioners can request input; and
5. Develop and implement at least one community service project supporting a City function.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, that:

SECTION 1. The City Commission hereby establishes the Fernandina Beach Youth Advisory Committee:

(a) Creation and Role. There is hereby created a committee to be known as the "Fernandina Beach Youth Advisory Committee" hereinafter referred to as the "Committee." The Committee's role shall be to provide input and recommendations to the City Commission.

(b) Membership. The Committee shall be open to up to five (5) members in grades 9-12. Students interested in serving on the Committee should submit an application to the City. The City Commissioners will appoint members to serve one-year terms to correspond with the school year.

(c) Removal of Members. By a majority vote, the Committee may request that the City Commission remove a member of the Committee who misses more than two consecutive meetings or events without notifying the Committee.

(d) Organizational Issues. At any time after the initial meeting of the Committee, the

Committee shall adopt by-laws and may adopt rules of procedure deemed necessary for the conduct of its business.

(e) Expenses and Staff Support. Members of the Committee shall serve without compensation. The City Commission of the City of Fernandina Beach, Florida, is hereby authorized and empowered to pay, from its general funds, such expenses as the Committee may incur in the performance of Committee duties. At his/her discretion, the City Attorney shall provide staffing to assist the Committee in the conduct of its business.

(f) Leadership. The Committee shall elect annually one of its members as its chairperson, one as vice-chairperson, one as secretary, and to any other leadership role as determined by the Committee.

(g) Meetings. The Committee shall meet as needed.

(h) Compliance with Ethics, Sunshine and Public Records Laws. When discussing potential recommendations to the City Commission of the City of Fernandina Beach, the members of the Committee are subject to the provisions of Part III of Chapter 112, the Code of Ethics for Public Officers and Employees, and all meetings for this purpose will be open to the public pursuant to § 286.011, Florida Statutes, and the public records provision of § 119.07, Florida Statutes.

SECTION 2. This Resolution shall take effect immediately upon passage

ADOPTED this 19th day of May, 2015.

CITY OF FERNANDINA BEACH

Edward E. Boner
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

Caroline Best
City Clerk

Tammi E. Bach
City Attorney