



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
APRIL 19, 2022
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Reverend Bernard Thompson of New Zion Missionary Baptist Church.

4. PROCLAMATION / PRESENTATION

4.1 **PROCLAMATION - NATIONAL ARBOR DAY** - *Recognizing April 19, 2022, as "National Arbor Day." Planning and Conservation Department Urban Forester David Neville will be in attendance to accept.*

4.2 **BUDGET SUMMARY** - *Comptroller Pauline Testagrose will answer any questions regarding the budget summary for March 2022.*

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA

6. CONSENT AGENDA

6.1 **SCRIVENER'S ERROR CORRECTION - AWARD OF ITB 22-05 - DOCKWORKS OF NORTHEAST FLORIDA DBA C&H MARINE CONSTRUCTION - RESOLUTION 2022-61** AWARDING ITB 22-05 TO DOCKWORKS OF NORTHEAST FLORIDA DBA C&H MARINE CONSTRUCTION; ESTABLISHING A PROJECT BUDGET IN AN AMOUNT NOT TO EXCEED \$100,000.00; PROVIDING FOR EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Corrects a Scrivener's error in the account number for the project.*

6.2 **FACILITIES USE AGREEMENT - 117TH AIR CONTROL SQUADRON - RESOLUTION 2022-67** APPROVING A FACILITIES USE AGREEMENT WITH THE 117TH AIR CONTROL SQUADRON, GEORGIA AIR NATIONAL GUARD FOR USE OF AIRPORT PROPERTY; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Facilities Use Agreement with the 117th Air Control Squadron, Georgia Air National Guard for use of Airport property.*

6.3 **BUDGET TRANSFER - UTILITIES DEPARTMENT - RESOLUTION 2022-68** APPROVING A UTILITIES DEPARTMENT BUDGET TRANSFER FOR FISCAL YEAR 2021/2022; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves an Utilities Budget Transfer for*

FY2021/2022 to accommodate an increase in cost associated with permit fees and electrical installation for Project #22030.

- 6.4 **AUTHORIZATION TO DEFEND - ESTATE OF JARVIS SULLIVAN - RESOLUTION 2022-69** AUTHORIZING THE CITY ATTORNEY TO DEFEND THE CITY IN CERTAIN LITIGATION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the City Attorney to work with the City claims administrator to defend the City of Fernandina Beach in the matter of Lorraine Hutchinson Sullivan, as administrator of the Estate of Jarvis Sullivan v. City of Fernandina Beach, et al., Case No: 3-22-CV-00267, in the United States Middle District Court Court for the State of Florida.*
- 6.5 **LEASE AGREEMENT - LANDMARK MODERNIZATION CONTRACTORS - RESOLUTION 2022-70** APPROVING THE LEASE AGREEMENT WITH LANDMARK MODERNIZATION CONTRACTORS FOR AN AERONAUTICAL GROUND LEASE AT THE FERNANDINA BEACH MUNICIPAL AIRPORT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a lease agreement with Landmark Modernization Contractors for aeronautical use at the Fernandina Beach Municipal Airport.*

7. RESOLUTIONS

- 7.1 **BOND REFERENDUM DIRECTION - RESOLUTION 2022-66** DIRECTING THE CITY MANAGER TO PREPARE A RESOLUTION FOR A BOND REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Directing the City Manager to prepare a list of projects requiring significant funding that would be appropriate for a bond referendum.*
- 7.2 **MUTUAL AID AGREEMENT - SECOND AMENDMENT - NASSAU COUNTY SHERIFF'S OFFICE - RESOLUTION 2022-71** AUTHORIZING THE SECOND AMENDMENT TO THE COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE NASSAU COUNTY SHERIFF'S OFFICE; AUTHORIZING EXECUTION; PROVIDING FOR FILING OF THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Second Amendment to the Mutual Aid Agreement between the Fernandina Beach Police Department and the Nassau County Sheriff's Office to provide for the implementation of the Enforcement Related Secondary Employment program.*

8. ORDINANCE - SECOND READING

- 8.1 **ZONING MAP AMENDMENT - WATERFRONT PLANNED UNIT DEVELOPMENT - ORDINANCE 2022-09** FORMALLY ABANDON THE WATERFRONT PLANNED UNIT DEVELOPMENT (PUD) DESCRIBED IN RESOLUTION 788 AND DESCRIBED AS CONDITIONAL USE PERMIT NO: P.U.D. 0485 ESTABLISHED ON NOVEMBER 5, 1985; REVOKING ALL SUBSEQUENT AMENDMENTS TO ALLOW ALL FUTURE DEVELOPMENT TO CONFORM TO THE UNDERLYING FUTURE LAND USE MAP CATEGORY OF INDUSTRIAL WATERFRONT (IW) AND EXISTING I-W ZONING DISTRICT FOR PROPERTY TOTALING APPROXIMATELY 11.0 ACRES OF LAND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Zoning map amendment to abandon the 1985 Conditional Use Permit creating a PUD for the downtown waterfront properties.*
- 8.2 **CODE AMENDMENT - TRANSFER OF FUNDS - ORDINANCE 2022-10** AMENDING THE FERNANDINA BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 2, SECTION 412, BUDGET AMENDMENTS / TRANSFER OF FUNDS AUTHORIZING THE CITY MANAGER TO APPROVE INTRADEPARTMENT BUDGET AMENDMENT / TRANSFERS IN AN AMOUNT NOT TO EXCEED \$50,000 AND INTRADIVISION TRANSFERS IN AN AMOUNT NOT TO EXCEED \$20,000; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Synopsis: Amends Section 2-412 of the municipal code by increasing the not to exceed amount of \$7,500 to \$50,000 for the transfer of funds within the same department and \$20,000 within the same division.

9. BOARD APPOINTMENTS

9.1 **AIRPORT ADVISORY COMMISSION** - *one appointment.*

10. CITY MANAGER REPORTS

11. CITY ATTORNEY REPORTS

12. CITY CLERK REPORTS

13. MAYOR/COMMISSIONER COMMENTS

14. ADJOURNMENT

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A "REQUEST TO SPEAK" FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - MULTI-MEDIA PRESENTATIONS MUST BE SUBMITTED TO THE CITY CLERK NO LATER THAN THE FRIDAY BEFORE THE MEETING.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
 - AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.
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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).