



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
FEBRUARY 21, 2023
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: Pastor Tiffany Gulama, Prince Chapel AME Church

4. PROCLAMATION / PRESENTATION

4.1 PROCLAMATION - FERNANDINA PIRATES CLUB 50TH ANNIVERSARY - *Recognizing the 50th Anniversary of the Fernandina Pirates Club. Members of the organization will be in attendance to accept.*

4.2 BUDGET SUMMARY - *Comptroller Pauline Testagrose will answer any questions regarding the budget summary for January 2023.*

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

6. CONSENT AGENDA

6.1 VOLUNTARY ANNEXATION AGREEMENT - 2037 FRIENDLY ROAD - RESOLUTION 2023-25 APPROVING THE EXTENSION OF WATER AND WASTEWATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.25 ACRES OF LAND LOCATED AT 2037 FRIENDLY ROAD; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water and wastewater services to the property owners identified whose property is located at 2037 Friendly Road, Parcel Number 00-00-30-0860-0004-0000 and also approves the Voluntary Annexation Petition.*

6.2 FACILITIES USE AGREEMENT - HAGERTY EVENTS, LLC - RESOLUTION 2023-26 APPROVING A FACILITIES USE AGREEMENT WITH HAGERTY EVENTS, LLC, FOR THE USE OF AIRPORT PROPERTY IN CONJUNCTION WITH "THE AMELIA" AUTO EVENT IN MARCH 2023; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Facilities Use Agreement with Hagerty Events, LLC, for vehicle parking on multiple locations of the Fernandina Beach Municipal Airport in support of "The Amelia" auto event to be held in March 2023.*

6.3 FACILITIES USE AGREEMENT - DRIVING DYNAMICS, INC. - RESOLUTION 2023 -27 APPROVING A FACILITIES USE AGREEMENT WITH DRIVING DYNAMICS, INC. FOR THE

USE OF AIRPORT PROPERTY TO CONDUCT CORPORATE DRIVER SAFETY TRAINING; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Facilities Use Agreement with Driving Dynamics, Inc. for corporate driver safety training at the Fernandina Beach Municipal Airport.*

- 6.4 **PROPOSAL APPROVAL - AREA 6 STORMWATER IMPROVEMENTS - RESOLUTION 2023-28** APPROVING A PROPOSAL FROM THE CITY'S CCNA CONSULTANT THOMAS & HUTTON FOR AREA 6 STORMWATER IMPROVEMENTS ALONG ASH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a proposal with Thomas & Hutton in the amount of \$81,750 for increasing stormwater system capacity and reduce flooding within the area.*

7. RESOLUTIONS

- 7.1 **TERMINATION - CITY MANAGER DALE L. MARTIN - RESOLUTION 2023-29** APPROVING THE TERMINATION OF THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND CITY MANAGER DALE L. MARTIN; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Terminates the Employment Agreement and Services of City Manager Dale L. Martin.*
- 7.2 **PROPOSAL APPROVAL - WEATHERPROOFING TECHNOLOGIES, INC. - RESOLUTION 2023-30** APPROVING WEATHERPROOFING TECHNOLOGIES, INC (A SUBSIDIARY OF TREMCO INC.) TO PERFORM ROOF RESTORATION ON THE LIBRARY IN THE AMOUNT OF \$167,869; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the proposal from Weatherproofing Technologies, Inc. for the repairs and restoration of the roof at the library in the amount of \$167,869.*

8. ORDINANCE - SECOND READING

- 8.1 **LAND DEVELOPMENT CODE TEXT AMENDMENTS - WATERFRONT DEVELOPMENT AND MARINAS - ORDINANCE 2023-01** AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AMENDING SECTION 3.03.03(B)(L) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AMENDING SECTION 2.03.02 BY ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN THE TABLE OF LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code for waterfront development and marinas as previously directed by the City Commission on August 16, 2022.*
- 8.2 **LAND DEVELOPMENT CODE TEXT AMENDMENTS - ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS - ORDINANCE 2023-02** AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FACADE; AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FACADE OF A PRINCIPAL STRUCTURE; AMENDING SECTION 5.01.03 (H) TO ALLOW TWELVE INCH EAVE ENCROACHMENT INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; ADDING SECTION 5.01.03 (H)(1) INCORPORATING BUILDING HEIGHT MEASUREMENTS FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AMENDING SECTION 5.01.04 (A)(4)

DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND THE FRONT FACADE OF A PRINCIPAL STRUCTURE; AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amend the Land Development Code for accessory structures and accessory dwelling units.*

- 8.3 **LAND DEVELOPMENT CODE TEXT AMENDMENTS - SEASONAL SALES, OVERNIGHT PARKING, AND TEMPORARY PORTABLE STRUCTURES** - ORDINANCE 2023-03 AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE; AMENDING SECTION 5.02.06 TO ADD ROLL OFF DUMPSTER AS A PERMITTED TEMPORARY PORTABLE STRUCTURE AND EXTENDING THE DURATION OF TEMPORARY USE PERMITS TO THIRTY (30) DAYS PER LOT PER YEAR, UNLESS MADE PART OF AN ACTIVE BUILDING PERMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amend the Land Development Code related to overnight parking and temporary portable structures.*
- 8.4 **LAND DEVELOPMENT CODE TEXT AMENDMENTS - CANOPY ROAD DESIGNATION PROGRAM** - ORDINANCE 2023-04 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY CREATING SECTION 4.05.17 CANOPY/SCENIC ROADS; PROVIDING FOR DESIGNATION OF CANOPY TREE ROADS; PROVIDING FOR RESTRICTIONS ON CANOPY ROADS; PROVIDING FOR CANOPY ROAD ZONES; PROVIDING FOR RESTRICTIONS ON TREE REMOVAL ON CANOPY ROADS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amend the Land Development Code to create a canopy road designation program.*
- 8.5 **CODE AMENDMENT - ELECTIONS** - ORDINANCE 2023-05 AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 34, ELECTIONS, SPECIFICALLY AMENDING SECTION 34-1 TO CHANGE THE CITY GENERAL ELECTION DATE TO COINCIDE WITH THE STATE PRIMARY ELECTION DATE (AUGUST) AND AMENDING THE CITY RUNOFF ELECTION DATE TO COINCIDE WITH THE STATE GENERAL ELECTION DATE (NOVEMBER); REPEALING SECTION 34-9 DUE TO ELECTION FOR MAYOR PROVIDED IN CITY CHARTER; AMENDING SECTION 34-10 TO CHANGE DATE OF ANNUAL ORGANIZATIONAL MEETING TO COINCIDE WITH NEW CITY GENERAL ELECTION DATE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Changes the dates of the City's general and runoff elections to coincide with the state primary and general election dates, and repeals Section 34-9.*

9. BOARD APPOINTMENTS

- 9.1 **MARINA ADVISORY BOARD** - *One appointment.*

10. CITY MANAGER REPORTS

11. CITY ATTORNEY REPORTS

12. CITY CLERK REPORTS

13. MAYOR/COMMISSIONER COMMENTS

14. ADJOURNMENT

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

Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).