



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).

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
Fernandina Pirates Club 50th Anniversary

ITEM TYPE: Proclamations

REQUESTED ACTION: N/A

SYNOPSIS: The attached proclamation recognizes the Fernandina Pirates Club 50th Anniversary. Members of the organization will be in attendance to accept.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager 1/30/2023

Caroline Best

Date: January 12, 2023

Submitted By: Caroline Best, City Clerk

COMMISSION ACTION:

Proclamation

WHEREAS, it's true, pirates still roam our fabled City streets. Not to be confused with the scallywags of yore, today's pirates are renowned for being community ambassadors; and

WHEREAS, founded in 1973 to promote the legendary Shrimp Boat Festival, the Fernandina Pirates Club has since been keeping the pirate spirit alive by carrying on a time-honored Fernandina Beach tradition; and

WHEREAS, throughout the year this rowdy group of men and women can be found 'invading the island' during festival kick-off ceremonies, parades, pageants, carnivals, fireworks, fund raising events and so much more. Event participants encounter pirates wandering the streets, sharing their loot, smiling for selfies, and arrrggging their way through delighted crowds; and

WHEREAS, it is also true that our beloved pirates have a soft side; each year they devote countless volunteer hours to reading to school age matey's, visiting local nursing homes, hosting charity events, sponsoring their annual scholarship contests, and have fostered a successful partnership with the Blood Alliance, all in an effort to bring joy to the community; and

WHEREAS, January 2023 marked the Fernandina Pirates Club 50th Anniversary of serving the City, greater Nassau County, and beyond with keen pride, deep reverence and a sense of adventure. Their passion for giving back to the community has helped countless organizations succeed, including: Joy to the Children, Barnabas and CARRT (Child At Risk Response Team).

NOW, THEREFORE, I, Bradley M. Bean, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby celebrate the:

“FERNANDINA PIRATES CLUB 50th ANNIVERSARY”

and sincerely thank the past, present, and future Club members for their dedication to keeping our community spirit alive and thriving.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

Bradley M. Bean
Commissioner – Mayor

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



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

ITEM TYPE: Presentation

REQUESTED ACTION: N/A

SYNOPSIS:

FISCAL IMPACT:

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Pauline Testagrose, Comptroller 2/14/2023

Dale Martin, City Manager 2/14/2023

Date: December 21, 2022

Submitted By: Pauline Testagrose, Comptroller

COMMISSION ACTION:

Monthly Budget Report

January 2023

Overall: This is the fourth report for the fiscal year 2022/2023 and January represents 33.3% of the budgeted fiscal year. All revenue and various grant revenues have been accrued for the month of January. All recurring expenses have been recorded. Annual maintenance and service contracts have been paid. Finance will monitor expenses and prepare budget amendments to ensure budgeted amounts are not exceeded on a line-by-line basis. Reports comparing current YTD to prior year YTD are also available. Please let the Comptroller know if you wish to see any of these comparative reports.

General Fund: (001)

Total General Fund revenues are 69.2% of the annual budget. This is due to Property Tax, and Local Business Tax receipts. Year-to-date Property Tax receipts are \$16.0 million dollars or 91.5% of the budget. Local Business Taxes are paid annually and recorded in October. Specific revenue sources we are tracking are detailed below.

	22/23 Budget	Jan 23 YTD \$	Jan 23 YTD %	Jan 22 YTD \$	Jan 22 YTD %
Local Option Gas Tax	435,057	137,273	31.6%	141,026	38.5%
Small County Surtax	2,005,013	622,957	31.1%	633,351	30.9%
Half Cent Sales Tax	997,954	339,836	34.1%	343,763	35.9%
Franchise Fees	1,400,000	495,462	35.4%	435,709	31.1%
Total FY 22/23 Bud	4,838,024				
Total FY 21/22 Actual	5,566,703				
Total FY 21/22 Bud	4,776,108				

General Fund expenses are at 25.7% of the budget. Currently the departments over the 25.0% mark are: City Clerk, Finance, Human Resources and Non-Department. This is primarily due to the payments of annual maintenance and consulting contracts.

Special Revenue Funds: (100 - 190)

As was anticipated, Revenues plus Cash Balance Forward exceed Expenditures for all Special Revenue funds except Wastewater and Utility Tax Funds. Impact Fee revenue is a function of payments for connection to City Water and Wastewater services. The FY2022/2023 Utility Tax Fund budget increased the transfer to the General Fund due to a higher reserve balance.

Capital Improvement Funds: (300 - 330)

The Capital Improvement Fund - 300, a debt service payment was made in October on the Fire Truck. Payments and or purchase orders have been issued for beach monitoring and reporting, the Tyler Executime Payroll system, police equipment, street paving and resurfacing, the Peck Center Repointing Project.

Golf Course: (410)

The transfer from Wastewater Fund to the Golf Fund for the accumulated deficit balance was recorded in October. Membership revenue is \$13,925 or 9.8% higher than last January. There is a separate report for each business segment of the Golf Fund included in the Munis Report.

Airport: (420)

Revenues exceed expenses primarily due to grant revenue, lease rent and land lease payments. The construction of the Fire Station at the Airport is progressing and is scheduled to be completed in May 2023.

Sanitation: (440)

Year-to-date revenues exceed expenses. This is due to the timing of Sanitation Services expenses.

Wastewater: (450)

As anticipated in the budget, expenses exceed revenues year-to-date primarily due to the transfers to the Golf Fund and the Marina Fund for the deficit balances. Wastewater Charges revenue is higher this January versus last January by \$107,261 or 5.7%.

Water: (460)

Revenues exceed expenses year-to-date. Water Charges revenue is higher this fiscal year versus last fiscal year by \$126,795 or 8.9%.

Stormwater: (470)

Revenues exceed expenses for the month. Revenue for Water Drainage Fees is up 1.8% this January compared to last January.

Marina: (480)

The Marina revenue (excluding Transfers) exceeded expenses for the month. The fuel system repairs are completed, and the Marina began to dispense fuel in December.

Fleet: (510)

Expenses exceed revenues for January due to equipment purchases. This fund is meant to be self-supporting.

Utility Billing and Utility Administration: (520 - 530)

It is anticipated in the budget that Revenues plus Cash Balance Forward exceeds Expenditures in Utility Billing and Utility Administration.

**CITY OF FERNANDINA BEACH
MONTHLY MANAGEMENT REPORT
REVENUES AND EXPENDITURES
FISCAL YEAR TO DATE THROUGH JANUARY 31, 2023**

33.3%

GENERAL FUND (001)	Revised Budget	Actuals	VARIANCE Fav/(UnFav)	%
REVENUES:				
Property Taxes	\$ 17,509,048	\$ 16,025,054	\$ (1,483,994)	91.5%
Sales /Use/Fuel Taxes	2,665,070	760,230	(1,904,840)	28.5%
Franchise Fees	1,425,000	504,102	(920,898)	35.4%
Licenses/Permits	382,000	274,175	(107,825)	71.8%
Intergovernmental	1,668,662	537,855	(1,130,807)	32.2%
Charges for Services	1,750,345	567,765	(1,182,580)	32.4%
Fines and Forfeitures	29,500	21,041	(8,459)	71.3%
Other	255,921	179,383	(76,538)	70.1%
Subtotal	25,685,546	18,869,606	(6,815,940)	73.5%
Transfers/Reimbursements				
Bond Debt Service	-	6,566	6,566	0.0%
Utility Tax	2,500,000	833,336	(1,666,664)	33.3%
Wastewater	360,000	120,000	(240,000)	33.3%
Water	180,000	60,000	(120,000)	33.3%
Total Revenues (excluding cash balance)	28,725,546	19,889,507	(8,836,039)	69.2%
EXPENDITURES:				
City Commission	272,325	91,126	181,199	33.5%
City Clerk	647,589	220,471	427,118	34.0%
City Manager	785,648	229,288	556,360	29.2%
Finance	833,558	289,739	543,819	34.8%
Information and Technology	925,578	287,435	638,143	31.1%
Human Resources	410,207	140,429	269,778	34.2%
City Attorney	423,746	112,890	310,856	26.6%
Planning	971,795	267,716	704,079	27.5%
Facility Maintenance	859,867	258,629	601,238	30.1%
Police	6,548,443	2,012,999	4,535,444	30.7%
Police - Beach Rangers	124,314	30,805	93,509	24.8%
Fire	5,448,880	1,637,812	3,811,068	30.1%
Fire - Ocean Rescue	663,146	95,649	567,497	14.4%
Streets	1,898,742	654,816	1,243,926	34.5%
Downtown	157,665	15,532	142,133	9.9%
Public Assistance	130,000	26,937	103,063	20.7%
Library	57,765	10,327	47,438	17.9%
Recreation	1,375,392	378,257	997,135	27.5%
Parks	1,780,836	519,945	1,260,891	29.2%
Peck	442,686	92,151	350,535	20.8%
MLK Center	246,788	38,959	207,829	15.8%
Youth	360,509	84,866	275,643	23.5%
Aquatics	538,046	100,516	437,530	18.7%
Non-Departmental	261,207	110,207	151,000	42.2%
Contingency	14,814	0	14,814	0.0%
Transfers				
Capital Improvements	3,911,803	1,238,731	2,673,072	31.7%
Golf	135,000	45,000	90,000	33.3%
Airport	297,420	99,140	198,280	33.3%
Sanitation	40,000	13,336	26,664	33.3%
Marina	726,101	242,029	484,072	33.3%
Subtotal	31,289,870	9,345,734	21,944,136	29.9%
Encumbrances - All Departments		72,330	(72,330)	
Reserves	5,329,453	-	5,329,453	
Total Expenditures (including Encumbrances)	36,619,323	9,418,064	27,201,259	25.7%
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(7,893,777)	10,471,444	18,365,221	
Fund Balance, October 1, 2022 (Cash Balance)				
Unrestricted	7,893,777	7,893,777	-	
Fund Balance, January 31, 2023	<u>\$ -</u>	<u>\$ 18,365,221</u>	<u>\$ 18,365,221</u>	

**CITY OF FERNANDINA BEACH
MONTHLY MANAGEMENT REPORT
REVENUES AND EXPENDITURES
FISCAL YEAR TO DATE THROUGH JANUARY 31, 2023**

33.3%

SPECIAL REVENUE FUNDS

FUND # NAME OF FUND	Revised Budget	Actuals	VARIANCE Fav/(UnFav)	% Used
REVENUES				
100 Law Enforcement Trust (LETf)	\$ 2,825	\$ 703	\$ (2,122)	24.9%
110 Federal Forfeiture	48,021	2,365	(45,656)	4.9%
125 Tree Trust	360,660	24,332	(336,328)	6.7%
126 Historic District (HDC)	46,185	7,679	(38,506)	16.6%
130 CDBG - Economic Development	106,113	300	(105,813)	0.3%
135 Land Conservation Trust	153,116	83,257	(69,859)	54.4%
140 Building Fees Fund	4,282,856	368,225	(3,914,631)	8.6%
145 Wastewater Impact Fees	1,574,584	132,794	(1,441,790)	8.4%
146 Water Impact Fees	29,650	50,924	21,274	171.8%
150 Utility Tax	3,295,226	687,459	(2,607,767)	20.9%
170 Cemetery	1,489,461	111,820	(1,377,641)	7.5%
180 Community Redevelopment Area	1,282,266	3,219	(1,279,047)	0.3%
190 Law Enforcement Recovery	378,689	77,492	(301,197)	20.5%
Total Revenues	\$ 13,049,652	\$ 1,550,569	\$ (11,499,083)	11.9%
EXPENDITURES:				
100 Law Enforcement Trust (LETf)	\$ 2,825	-	\$ 2,825	0.0%
110 Federal Forfeiture	48,021	11,484	36,537	23.9%
125 Tree Trust	360,660	15,882	344,778	4.4%
126 Historic District (HDC)	46,185	-	46,185	0.0%
130 CDBG - Economic Development	106,113	-	106,113	0.0%
135 Land Conservation Trust	153,116	83,831	69,285	54.7%
140 Building Fees Fund	4,282,856	453,620	3,829,236	10.6%
145 Wastewater Impact Fees	1,574,584	166,664	1,407,920	10.6%
146 Water Impact Fees	29,650	8,336	21,314	28.1%
150 Utility Tax	3,295,226	833,336	2,461,890	25.3%
170 Cemetery	1,489,461	30,935	1,458,526	2.1%
180 Community Redevelopment Area	1,282,266	205,643	1,076,623	16.0%
190 Law Enforcement Recovery	378,689	12,764	365,925	3.4%
Total Expenditures	\$ 13,049,652	\$ 1,822,495	\$ 11,227,157	14.0%

Special Revenue Funds - amounts shown include budgeted cash balance forward and reserves.

**CITY OF FERNANDINA BEACH
MONTHLY MANAGEMENT REPORT
REVENUES AND EXPENDITURES
FISCAL YEAR TO DATE THROUGH JANUARY 31, 2023**

33.3%

CAPITAL PROJECTS FUNDS

FUND #	NAME OF FUND	Revised Budget	Actuals	VARIANCE Fav/(UnFav)	% Used
300	Capital Improvement				
	Revenues	\$ 7,307,572	\$ 1,271,307	\$ (6,036,265)	17.4%
	Expenses				
	General Government	\$ 1,022,977	108,662	914,315	10.6%
	Information Technology	125,000	7,741	117,259	6.2%
	Police	-	-	-	0.0%
	Fire	417,000	-	417,000	0.0%
	Streets	1,140,644	148,570	992,074	13.0%
	Recreation	1,881,701	-	1,881,701	0.0%
	Parks	1,030,000	27,849	1,002,151	2.7%
	Peck	1,565,250	371,936	1,193,314	23.8%
	MLK	125,000	-	125,000	0.0%
	Subtotal	7,307,572	664,758	6,642,814	9.1%
	Net Revenues(Expenses)	\$ -	\$ 606,549	\$ (606,549)	0.0%
310	Capital Expansion				
	Revenues				
	Grants/Interest/Loan	\$ 85,000	\$ 23,042	\$ (61,958)	27.1%
	Admin	1,431,510	32,369	(1,399,141)	2.3%
	Police	469,934	26,304	(443,630)	5.6%
	Fire	719,416	19,290	(700,126)	2.7%
	Sanitation	-	-	-	0.0%
	Recreation	3,794,450	199,143	(3,595,307)	5.2%
	Subtotal	6,500,310	300,148	(6,200,162)	4.6%
	Expenses				
	Admin	\$ 1,437,545	\$ -	\$ 1,437,545	0.0%
	Police	471,747	-	471,747	0.0%
	Fire	722,314	215,681	506,633	29.9%
	Recreation	3,868,704	-	3,868,704	0.0%
	Subtotal	6,500,310	215,681	6,284,629	3.3%
	Net Revenues(Expenses)	\$ -	\$ 84,467	\$ 84,467	0.0%
315	American Rescue Plan Act Capital Fund (ARPA)				
	Revenues				
	State Grant	\$ -	\$ -	\$ -	0.0%
	Other Grant	-	-	-	0.0%
	Interest	5,000	13,469	8,469	269.4%
	From General Fund	-	-	-	0.0%
	Cash Balance Forward	3,965,299	-	(3,965,299)	0.0%
	Subtotal	3,970,299	13,469	(3,956,830)	0.3%
	Expenses				
	Operating	\$ -	\$ -	\$ -	0.0%
	Admin	\$ 3,970,299	\$ 649,786	\$ 3,320,513	16.4%
	Airport	-	-	-	0.0%
	Stormwater	-	-	-	0.0%
	Marina	-	-	-	0.0%
	Recreation	-	-	-	0.0%
	Subtotal	3,970,299	649,786	3,320,513	16.4%
	Net Revenues(Expenses)	\$ -	\$ (636,317)	\$ (636,317)	0.0%
330	Wastewater Improvement				
	Revenues	\$ 9,734,266	\$ 195,098	\$ (9,539,168)	2.0%
	Expenses	9,734,266	61,204	9,673,062	0.6%
	Net Revenues(Expenses)	\$ -	\$ 133,894	\$ 133,894	0.0%

CAPITAL EXPANSION FUND**PRELIMINARY January**

	FY21-22 BALANCE FORWARD	FY22-23 REVENUE	FY22-23 INTEREST	FY22-23 EXPENSES	FY22-23 BALANCE FORWARD
POLICE	459,281.70	26,304.48	1,767.54	-	487,353.72
FIRE	594,525.90	19,289.95	2,288.03	215,680.97	400,422.91
SANITATION	-	-	-	-	-
RECREATION/PARKS	3,507,430.61	199,214.02	13,498.31	-	3,720,142.94
ADMINISTRATION	1,407,582.64	32,369.10	5,417.07	-	1,445,368.81
	5,968,820.85	277,177.55	22,970.95	215,680.97	6,053,288.38

**CITY OF FERNANDINA BEACH
MONTHLY MANAGEMENT REPORT
REVENUES AND EXPENDITURES
FISCAL YEAR TO DATE THROUGH JANUARY 31, 2023**

33.3%

ENTERPRISE FUNDS	Revised Budget	Actuals	VARIANCE Fav/(UnFav)	% Used
Golf Course Fund 410				
Operating Revenues	\$ 2,035,730	\$ 639,803	\$ (1,395,927)	31.4%
Operating Expense*	1,892,922	571,037	1,321,885	30.2%
Operating Income (Loss)	142,808	68,766	(74,042)	48.2%
Non Operating Income (Expense) & Transfers	1,495,208	1,417,297	(77,911)	94.8%
Change in Net Position	\$ 1,638,016	\$ 1,486,063	\$ (151,953)	90.7%
Airport Fund 420				
Operating Revenues	\$ 956,540	\$ 325,891	\$ (630,649)	34.1%
Operating Expense*	687,471	183,055	504,416	26.6%
Operating Income (Loss)	269,069	142,836	(126,233)	53.1%
Non Operating Income (Expense) & Transfers	2,637,745	1,508,662	(1,129,083)	57.2%
Change in Net Position	\$ 2,906,814	\$ 1,651,498	\$ (1,255,316)	56.8%
Sanitation Fund 440				
Operating Revenues	\$ 3,236,536	\$ 1,148,827	\$ (2,087,709)	35.5%
Operating Expense*	3,266,103	823,419	2,442,684	25.2%
Operating Income (Loss)	(29,567)	325,408	354,975	-1100.6%
Non Operating Income (Expense) & Transfers	144,000	41,093	(102,907)	28.5%
Change in Net Position	\$ 114,433	\$ 366,501	\$ 252,068	320.3%
Wastewater Fund 450				
Operating Revenues	\$ 5,921,250	\$ 2,050,871	\$ (3,870,379)	34.6%
Operating Expense*	3,351,751	945,569	2,406,182	28.2%
Operating Income (Loss)	2,569,499	1,105,302	(1,464,197)	43.0%
Non Operating Income (Expense) & Transfers	(5,981,224)	(4,899,414)	1,081,810	81.9%
Change in Net Position	\$ (3,411,725)	\$ (3,794,111)	\$ (382,386)	111.2%
Water Fund 460				
Operating Revenues	\$ 4,687,073	\$ 1,616,040	\$ (3,071,033)	34.5%
Operating Expense*	3,200,936	822,717	2,378,219	25.7%
Operating Income (Loss)	1,486,137	793,323	(692,814)	53.4%
Non Operating Income (Expense) & Transfers	(1,451,108)	(461,228)	989,880	31.8%
Change in Net Position	\$ 35,029	\$ 332,095	\$ 297,066	948.1%
Stormwater Fund 470				
Operating Revenues	\$ 925,000	\$ 306,089	\$ (618,911)	33.1%
Operating Expense*	973,056	226,692	746,364	23.3%
Operating Income (Loss)	(48,056)	79,397	127,453	-165.2%
Non Operating Income (Expense) & Transfers	659,053	-	(659,053)	0.0%
Change in Net Position	\$ 610,997	\$ 79,397	\$ (531,600)	13.0%
Marina Fund 480				
Operating Revenues	\$ 4,113,135	\$ 700,505	\$ (3,412,630)	17.0%
Operating Expense*	3,217,058	625,864	2,591,194	19.5%
Operating Income (Loss)	896,077	74,641	(821,436)	8.3%
Non Operating Income (Expense) & Transfers	3,015,378	3,207,216	191,838	106.4%
Change in Net Position	\$ 3,911,455	\$ 3,281,858	\$ (629,597)	83.9%
*Does not include Depreciation Expense and Encumbrances.				
Capital Outlay by Fund				
Golf Course Fund 410	\$ 220,600	\$ 46,204	\$ 174,396	20.9%
Airport Fund 420	5,390,740	1,484,466	\$ 3,906,274	27.5%
Sanitation Fund 440	199,999	189,999	10,000	95.0%
Wastewater Fund 450	1,744,603	591,239	1,153,364	33.9%
Water Fund 460	2,455,357	504,028	1,951,329	20.5%
Stormwater Fund 470	2,203,633	623	2,203,010	0.0%
Marina Fund 480	50,000	-	50,000	0.0%
Total Enterprise Funds	\$ 12,264,932	\$ 2,816,559	\$ 9,448,373	23.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
001 GENERAL FUND							
001 31110		PROPERTY TAXES					
	-17,509,048.00	-17,509,048.00	-16,025,054.33	-534,547.99	0.00	-1,483,993.67	91.5%
001 31240		LOCAL OPTION GAS TAX					
	-435,057.00	-435,057.00	-137,272.91	-34,850.58	0.00	-297,784.09	31.6%
001 31251		STATE/FIRE INSURANCE TAX					
	-115,000.00	-115,000.00	0.00	0.00	0.00	-115,000.00	.0%
001 31252		STATE/POLICE INSURANCE TAX					
	-110,000.00	-110,000.00	0.00	0.00	0.00	-110,000.00	.0%
001 31260		SMALL COUNTY SURTAX					
	-2,005,013.00	-2,005,013.00	-622,957.16	-144,933.92	0.00	-1,382,055.84	31.1%
001 31610		LOCAL BUSINESS TAX					
	-160,000.00	-160,000.00	-179,401.50	-6,786.30	0.00	19,401.50	112.1%
001 31620		LOCAL BUSINESS TAX - PENALTIES					
	-50.00	-50.00	-6,462.70	-1,276.00	0.00	6,412.70	12925.4%
001 31630		LOCAL BUSINESS TAX-OTHER FEES					
	-3,000.00	-3,000.00	-1,680.00	-105.00	0.00	-1,320.00	56.0%
001 31640		LOCAL BUSINESS TAX-PAST DUE FE					
	-2,000.00	-2,000.00	-404.61	-118.12	0.00	-1,595.39	20.2%
001 32204		BUILDING PERMIT-DRIVEWAY					
	-6,000.00	-6,000.00	-770.00	-105.00	0.00	-5,230.00	12.8%
001 32218		CLEARING/EXCAVATE-PERMITS					
	-25,000.00	-25,000.00	-4,144.00	-700.00	0.00	-20,856.00	16.6%
001 32310		FRANCHISE FEES ELECTRIC					
	-1,400,000.00	-1,400,000.00	-495,462.49	-116,753.44	0.00	-904,537.51	35.4%
001 32340		FRANCHISE FEES GAS					
	-25,000.00	-25,000.00	-8,639.94	-3,227.96	0.00	-16,360.06	34.6%
001 32900		CODE ENFORCEMENT FEES & FINES					
	-25,000.00	-25,000.00	-308.67	-308.67	0.00	-24,691.33	1.2%
001 32901		ZONING PLAN REVIEW					
	-65,000.00	-65,000.00	-29,175.00	-6,300.00	0.00	-35,825.00	44.9%
001 32915		ANNEXATION APP FEE					
	-2,000.00	-2,000.00	-1,200.00	-600.00	0.00	-800.00	60.0%
001 32916		BOA APP FEES-COMMERCIAL					
	-2,500.00	-2,500.00	-5,000.00	0.00	0.00	2,500.00	200.0%
001 32917		BOA APP FEES-RESIDENTIAL					
	-8,500.00	-8,500.00	-2,813.00	-2,500.00	0.00	-5,687.00	33.1%
001 32918		ZONING CERTIFICATION FEE					
	-2,750.00	-2,750.00	-300.00	0.00	0.00	-2,450.00	10.9%
001 32920		CDD COPIES MADE FEE					
	-50.00	-50.00	-5.25	0.00	0.00	-44.75	10.5%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
001 32921		COMP PLAN AMEND APP FEE					
	-1,500.00	-1,500.00	0.00	0.00	0.00	-1,500.00	.0%
001 32926		PLAT APPROVAL APP FEE					
	-3,850.00	-3,850.00	-3,000.00	0.00	0.00	-850.00	77.9%
001 32928		REZONING APP FEE					
	-4,200.00	-4,200.00	0.00	0.00	0.00	-4,200.00	.0%
001 32929		SITE PLAN REVIEW APP FEE					
	-24,300.00	-24,300.00	-16,300.00	0.00	0.00	-8,000.00	67.1%
001 32932		DUE DILIGENCE					
	-750.00	-750.00	-500.00	-500.00	0.00	-250.00	66.7%
001 32933		TELECOMMUNICATION PERMIT					
	-400.00	-400.00	0.00	0.00	0.00	-400.00	.0%
001 32935		ADMINISTRATIVE WAIVER					
	-800.00	-800.00	-500.00	-400.00	0.00	-300.00	62.5%
001 32936		CODE TEXT AMENDMENT					
	-850.00	-850.00	0.00	0.00	0.00	-850.00	.0%
001 32937		LOT LINE ADJUSTMENTS					
	-3,600.00	-3,600.00	-600.00	-600.00	0.00	-3,000.00	16.7%
001 32981		SPECIAL EVENT PERMITS					
	-2,500.00	-2,500.00	-6,230.00	-25.00	0.00	3,730.00	249.2%
001 32982		SPECIAL BANNER PERMITS					
	-2,000.00	-2,000.00	-1,075.00	-455.00	0.00	-925.00	53.8%
001 32992		FIRE MARSHAL FEES					
	-35,000.00	-35,000.00	-14,204.80	-2,821.80	0.00	-20,795.20	40.6%
001 32995		ADDRESS ASSIGNMENT					
	-400.00	-400.00	-100.00	0.00	0.00	-300.00	25.0%
001 33350		HALF-CENT SALES TAX					
	-997,954.00	-997,954.00	-339,835.77	-81,650.23	0.00	-658,118.23	34.1%
001 33400		STATE GRANT					
	-50,000.00	-50,000.00	0.00	0.00	0.00	-50,000.00	.0%
001 33512		STATE REVENUE SHARING PROCEED					
	-345,437.00	-345,437.00	-106,195.84	-26,548.96	0.00	-239,241.16	30.7%
001 33514		MOBILE HOME TAX					
	-800.00	-800.00	-412.99	-174.99	0.00	-387.01	51.6%
001 33515		ALCOHOLIC BEV LICENSE					
	-23,000.00	-23,000.00	-24,839.08	-1,929.79	0.00	1,839.08	108.0%
001 33522		FIREFIGHTERS SUPPLEMENT					
	-10,000.00	-10,000.00	-3,420.00	0.00	0.00	-6,580.00	34.2%
001 33720		SCHOOL RESOURCE OFFICER					
	-178,346.00	-178,346.00	-63,151.06	-14,152.09	0.00	-115,194.94	35.4%
001 33721		DEA REIMBURSEMENT					
	-13,125.00	-13,125.00	0.00	0.00	0.00	-13,125.00	.0%
001 33722		NASSAU COUNTY OCEAN RESCUE					
	-181,787.00	-181,787.00	-12,382.68	-10,000.00	0.00	-169,404.32	6.8%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
001 33910		OCEAN,HIGHWAY AND PRT AUTHORIT					
	-50,000.00	-50,000.00	0.00	0.00	0.00	-50,000.00	.0%
001 34140		REIMBURSEMENT FOR LEGAL EXP					
	-10,500.00	-10,500.00	0.00	0.00	0.00	-10,500.00	.0%
001 34260		AMBULANCE SERVICES					
	-589,958.00	-589,958.00	-253,962.37	-59,299.29	0.00	-335,995.63	43.0%
001 34290		SHRIMP FESTIVAL REIMBURSEMENT					
	-6,000.00	-6,000.00	0.00	0.00	0.00	-6,000.00	.0%
001 34700		TRUST ACTIVITIES NON-TAXABLE					
	-350,000.00	-350,000.00	-84,299.04	-28,040.00	0.00	-265,700.96	24.1%
001 34701		TRUST ACTIVITIES TAXABLE					
	-43,000.00	-43,000.00	-18,402.90	-5,488.09	0.00	-24,597.10	42.8%
001 34702		PARKS TRUST NON-TAXABLE					
	-12,000.00	-12,000.00	-6,738.00	-1,010.00	0.00	-5,262.00	56.2%
001 34703		PARKS TRUST TAXABLE					
	-8,000.00	-8,000.00	-4,673.20	-290.00	0.00	-3,326.80	58.4%
001 34704		RENTALS NON-TAXABLE					
	-4,000.00	-4,000.00	-2,480.00	-325.00	0.00	-1,520.00	62.0%
001 34705		SOFTBALL COMPLEX					
	-100.00	-100.00	-55.00	0.00	0.00	-45.00	55.0%
001 34720		RENTALS					
	-5,000.00	-5,000.00	-2,513.63	0.00	0.00	-2,486.37	50.3%
001 34721		PECK RENTS					
	-3,000.00	-3,000.00	-656.00	-262.00	0.00	-2,344.00	21.9%
001 34722		PECK RENTS NON-TAXABLE					
	-25,000.00	-25,000.00	-9,175.66	-2,235.05	0.00	-15,824.34	36.7%
001 34723		PECK TRUST TAXABLE					
	-10,000.00	-10,000.00	-5,115.95	-1,976.72	0.00	-4,884.05	51.2%
001 34724		PECK TRUST NON-TAXABLE					
	-10,000.00	-10,000.00	-2,540.00	-567.00	0.00	-7,460.00	25.4%
001 34725		MLK RENTS					
	-4,500.00	-4,500.00	-450.00	-450.00	0.00	-4,050.00	10.0%
001 34726		MLK RENTS NON-TAXABLE					
	-1,000.00	-1,000.00	-750.00	-150.00	0.00	-250.00	75.0%
001 34728		MLK TRUST NON-TAXABLE					
	-8,000.00	-8,000.00	0.00	0.00	0.00	-8,000.00	.0%
001 34730		YOUTH TRUST ACTIVITIES					
	-14,000.00	-14,000.00	0.00	0.00	0.00	-14,000.00	.0%
001 34731		YOUTH CAMPS					
	-290,000.00	-290,000.00	-115,072.98	-32,044.86	0.00	-174,927.02	39.7%
001 34740		AQUATICS TRUST TAXABLE					
	-12,000.00	-12,000.00	-4,180.00	0.00	0.00	-7,820.00	34.8%
001 34741		AQUATICS TRUST NON-TAXABLE					
	-100,000.00	-100,000.00	-23,512.00	-4,137.00	0.00	-76,488.00	23.5%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
001 34742		SWIMMING POOLS					
	-60,000.00	-60,000.00	-19,495.92	-3,868.62	0.00	-40,504.08	32.5%
001 34743		SWIMMING POOLS NON-TAXABLE					
	-12,000.00	-12,000.00	-1,000.00	0.00	0.00	-11,000.00	8.3%
001 34745		GREENWAY					
	-1,000.00	-1,000.00	-310.00	-160.00	0.00	-690.00	31.0%
001 35100		COURT CASES GENERAL FUND					
	-8,500.00	-8,500.00	-4,169.46	-2,322.55	0.00	-4,330.54	49.1%
001 35110		FINES/FORFEITURES					
	0.00	0.00	0.00	695.00	0.00	0.00	.0%
001 35115		PARKING TICKETS					
	-15,000.00	-15,000.00	-13,760.00	-2,360.00	0.00	-1,240.00	91.7%
001 35116		POLICE CITATIONS					
	0.00	0.00	-300.00	0.00	0.00	300.00	100.0%
001 35120		POLICE EDUCATION					
	-1,200.00	-1,200.00	-430.01	-112.87	0.00	-769.99	35.8%
001 35911		FINGERPRINT-ACCI-INC REPORT					
	-4,800.00	-4,800.00	-2,381.93	-609.25	0.00	-2,418.07	49.6%
001 36110		INTEREST					
	-110,000.00	-110,000.00	-90,786.69	-27,755.66	0.00	-19,213.31	82.5%
001 36120		UNREALIZED GAIN					
	0.00	0.00	2,140.24	861.04	0.00	-2,140.24	100.0%
001 36210		RENTS					
	-3,500.00	-3,500.00	0.00	0.00	0.00	-3,500.00	.0%
001 36215		RENTS NON-TAXABLE					
	-23,800.00	-23,800.00	-10,255.08	-2,281.31	0.00	-13,544.92	43.1%
001 36800		CAPITAL CONTRIBUTION					
	0.00	0.00	-35,000.00	0.00	0.00	35,000.00	100.0%
001 36990		OTHER REVENUE					
	-35,851.00	-35,851.00	-41,378.42	-8,754.23	0.00	5,527.42	115.4%
001 36995		LATE FEES					
	0.00	0.00	-104.96	0.00	0.00	104.96	100.0%
001 36996		REVENUE-GARNISHMENT FEE					
	-100.00	-100.00	-63.00	-12.00	0.00	-37.00	63.0%
001 36998		STATE OF FLORIDA - FDOT					
	-65,170.00	-65,170.00	0.00	0.00	0.00	-65,170.00	.0%
001 36999		HDC TRUST FUND					
	0.00	0.00	-357.41	0.00	0.00	357.41	100.0%
001 38215		FROM UTILITY TAX					
	-2,500,000.00	-2,500,000.00	-833,336.00	-208,333.00	0.00	-1,666,664.00	33.3%
001 38220		FROM BOND DEBT SERVICE					
	0.00	0.00	-6,565.54	-6,565.54	0.00	6,565.54	100.0%
001 38245		FROM WASTEWATER OPERATIONS					
	-360,000.00	-360,000.00	-120,000.00	-30,000.00	0.00	-240,000.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
001 38246		FROM WATER OPERATIONS					
	-180,000.00	-180,000.00	-60,000.00	-15,000.00	0.00	-120,000.00	33.3%
001 38910		CASH BALANCE FORWARD					
	-7,893,777.00	-7,893,777.00	0.00	0.00	0.00	-7,893,777.00	.0%
TOTAL GENERAL FUND	-36,612,323.00	-36,612,323.00	-19,885,929.69	-1,435,224.84	0.00	-16,726,393.31	54.3%
TOTAL REVENUES	-36,612,323.00	-36,612,323.00	-19,885,929.69	-1,435,224.84	0.00	-16,726,393.31	
0011310 INFORMATION TECHNOLOGY							
0011310 36993		YOUTH ADVISORY COMM DONATIONS					
	0.00	0.00	-817.00	0.00	0.00	817.00	100.0%
TOTAL INFORMATION TECHNOLOGY	0.00	0.00	-817.00	0.00	0.00	817.00	100.0%
TOTAL REVENUES	0.00	0.00	-817.00	0.00	0.00	817.00	
0012200 FIRE							
0012200 36993		DONATIONS/CONTRIBUTIONS					
	-7,000.00	-7,000.00	-2,760.50	-165.50	0.00	-4,239.50	39.4%
TOTAL FIRE	-7,000.00	-7,000.00	-2,760.50	-165.50	0.00	-4,239.50	39.4%
TOTAL REVENUES	-7,000.00	-7,000.00	-2,760.50	-165.50	0.00	-4,239.50	
GRAND TOTAL	-36,619,323.00	-36,619,323.00	-19,889,507.19	-1,435,390.34	0.00	-16,729,815.81	54.3%

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Revenue	Amount	% Used
Revised Budget	(\$36,619,323.00)	50.3%
Less: Cash Balance Forward		
38910	7,893,777.00	
38911	.00	
Revised Budget excluding Cash	(\$28,725,546.00)	
YTD Actual Revenue	(\$19,889,507.19)	69.2%

Revised Budget excluding Cash	(\$28,725,546.00)
Less: YTD Expenditures	9,345,734.18
Net (Revenues) Expenditures	(\$19,379,811.82)



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
0011100 CITY COMMISSION							
272,325.00		272,325.00	91,125.88	13,071.75	-5,156.21	186,355.33	31.6%
0011200 CITY CLERK							
647,589.00		647,589.00	220,470.51	78,241.71	209.27	426,909.22	34.1%
0011210 CITY MANAGER							
785,648.00		785,648.00	229,288.14	60,799.97	-2,183.19	558,543.05	28.9%
0011300 FINANCE							
833,558.00		833,558.00	289,739.28	58,574.90	14,118.54	529,700.18	36.5%
0011310 INFORMATION TECHNOLOGY							
925,578.00		925,578.00	287,435.11	53,247.82	12,012.78	626,130.11	32.4%
0011350 HUMAN RESOURCES							
410,207.00		410,207.00	140,428.58	29,234.32	627.81	269,150.61	34.4%
0011400 CITY ATTORNEY							
423,746.00		423,746.00	112,890.10	28,921.41	0.00	310,855.90	26.6%
0011500 PLANNING							
971,795.00		971,795.00	267,716.15	59,953.54	209.27	703,869.58	27.6%
0011910 NON DEPARTMENTAL							
261,207.00		261,207.00	110,206.62	19,485.06	0.00	151,000.38	42.2%
0011930 FACILITIES MAINTENANCE							
859,867.00		859,867.00	258,628.83	65,993.75	-66.00	601,304.17	30.1%
0012100 POLICE							
6,518,443.00		6,548,443.00	2,012,998.73	585,433.22	13,241.33	4,522,202.94	30.9%
0012101 POLICE RANGERS							
124,314.00		124,314.00	30,805.37	5,425.49	0.00	93,508.63	24.8%
0012200 FIRE							
5,448,880.00		5,448,880.00	1,637,811.72	421,691.70	-18,728.23	3,829,796.51	29.7%
0012201 FIRE OCEAN RESCUE							
663,146.00		663,146.00	95,648.99	20,518.31	7,311.39	560,185.62	15.5%
0012400 BUILDING / PERMITTING							
0.00		0.00	265.57	265.57	-265.57	0.00	.0%
0014100 STREETS							
1,898,742.00		1,898,742.00	654,815.65	152,339.04	-13,656.73	1,257,583.08	33.8%
0015200 DOWNTOWN							
157,665.00		157,665.00	15,532.26	4,993.75	6,176.00	135,956.74	13.8%
0015640 PUBLIC ASSISTANCE							
130,000.00		130,000.00	26,936.58	26,936.58	0.00	103,063.42	20.7%
0017100 LIBRARY							
57,765.00		57,765.00	10,327.14	2,479.44	0.00	47,437.86	17.9%
0017200 RECREATION							
1,352,592.00		1,375,392.00	378,256.66	71,685.34	23,017.66	974,117.68	29.2%
0017210 PARKS							
1,726,636.00		1,780,836.00	519,944.52	175,715.13	35,461.39	1,225,430.09	31.2%
0017220 PECK							
442,686.00		442,686.00	92,150.77	36,732.54	0.00	350,535.23	20.8%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

0017225 MLK CENTER	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
0017225 MLK CENTER	246,788.00	246,788.00	38,958.90	10,561.56	0.00	207,829.10	15.8%
0017230 YOUTH	360,509.00	360,509.00	84,865.86	21,008.68	0.00	275,643.14	23.5%
0017240 AQUATICS	547,246.00	538,046.00	100,515.83	28,739.75	0.00	437,530.17	18.7%
0018100 INTERFUND TRANSFERS OUT	5,208,124.00	5,110,324.00	1,638,236.00	411,211.00	0.00	3,472,088.00	32.1%
0018200 CONTINGENCIES	14,814.00	14,814.00	0.00	0.00	0.00	14,814.00	.0%
0018300 RESERVES	5,329,453.00	5,329,453.00	0.00	0.00	0.00	5,329,453.00	.0%
GRAND TOTAL		36,619,323.00	9,345,999.75	2,443,261.33	72,329.51	27,200,993.74	25.7%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
100 LAW ENFORCEMENT TRUST							
100 35120		SEIZED CONTRABAND					
	0.00	0.00	-695.00	-695.00	0.00	695.00	100.0%
100 36110		INTEREST					
	-22.00	-22.00	-8.16	-2.25	0.00	-13.84	37.1%
100 38910		CASH BALANCE FORWARD					
	-2,803.00	-2,803.00	0.00	0.00	0.00	-2,803.00	.0%
100 59990		RESERVE					
	2,825.00	2,825.00	0.00	0.00	0.00	2,825.00	.0%
TOTAL LAW ENFORCEMENT TRUST							
	0.00	0.00	-703.16	-697.25	0.00	703.16	100.0%
		TOTAL REVENUES					
	-2,825.00	-2,825.00	-703.16	-697.25	0.00	-2,121.84	
		TOTAL EXPENSES					
	2,825.00	2,825.00	0.00	0.00	0.00	2,825.00	
		GRAND TOTAL					
	0.00	0.00	-703.16	-697.25	0.00	703.16	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
110 FEDERAL FORFEITURE							
110 35121		SEIZED CONTRABAND					
	-2,500.00	-2,500.00	-2,196.50	0.00	0.00	-303.50	87.9%
110 36110		INTEREST					
	-300.00	-300.00	-168.48	-42.39	0.00	-131.52	56.2%
110 38910		CASH BALANCE FORWARD					
	-45,221.00	-45,221.00	0.00	0.00	0.00	-45,221.00	.0%
110 55200		OPERATING SUPPLIES					
	10,000.00	10,000.00	435.97	0.00	0.00	9,564.03	4.4%
110 56400		MACH/EQUIP					
	15,000.00	15,000.00	11,048.28	0.00	0.00	3,951.72	73.7%
110 56401		EQUIP-NON CAPITAL					
	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00	.0%
110 59990		RESERVE					
	18,021.00	18,021.00	0.00	0.00	0.00	18,021.00	.0%
TOTAL FEDERAL FORFEITURE	0.00	0.00	9,119.27	-42.39	0.00	-9,119.27	100.0%
	TOTAL REVENUES						
	-48,021.00	-48,021.00	-2,364.98	-42.39	0.00	-45,656.02	
	TOTAL EXPENSES						
	48,021.00	48,021.00	11,484.25	0.00	0.00	36,536.75	
	GRAND TOTAL						
	0.00	0.00	9,119.27	-42.39	0.00	-9,119.27	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
125 TREE TRUST SPECIAL REV FUND							
125 32219		TREE TRUST FUND RESERVE					
	-130,000.00	-130,000.00	-22,975.00	-1,800.00	0.00	-107,025.00	17.7%
125 36110		INTEREST					
	-1,400.00	-1,400.00	-1,356.66	-344.49	0.00	-43.34	96.9%
125 38910		CASH BALANCE FORWARD					
	-229,260.00	-229,260.00	0.00	0.00	0.00	-229,260.00	.0%
125 51200		SALARIES					
	18,776.00	18,776.00	6,009.06	1,490.06	0.00	12,766.94	32.0%
125 52100		FICA					
	1,308.00	1,308.00	421.93	103.32	0.00	886.07	32.3%
125 52200		RETIREMENT					
	3,769.00	3,769.00	1,297.95	321.86	0.00	2,471.05	34.4%
125 52300		HEALTH INSUR					
	6,828.00	6,828.00	1,431.61	357.88	0.00	5,396.39	21.0%
125 52301		LIFE INSUR					
	96.00	96.00	23.97	6.23	0.00	72.03	25.0%
125 52400		WORKERS' COMP					
	336.00	336.00	112.00	28.00	0.00	224.00	33.3%
125 53100		PROFESSIONAL SERVICES					
	103,500.00	103,500.00	0.00	0.00	0.00	103,500.00	.0%
125 54970		PROGRAM COSTS					
	118,700.00	118,700.00	6,535.37	0.00	0.00	112,164.63	5.5%
125 55200		OPERATING SUPPLIES					
	63,750.00	63,750.00	49.80	0.00	0.00	63,700.20	.1%
125 56400		EQUIPMENT					
	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00	.0%
125 59990		RESERVE					
	28,597.00	28,597.00	0.00	0.00	0.00	28,597.00	.0%
TOTAL TREE TRUST SPECIAL REV FUND							
	0.00	0.00	-8,449.97	162.86	0.00	8,449.97	100.0%
TOTAL REVENUES							
	-360,660.00	-360,660.00	-24,331.66	-2,144.49	0.00	-336,328.34	
TOTAL EXPENSES							
	360,660.00	360,660.00	15,881.69	2,307.35	0.00	344,778.31	
GRAND TOTAL							
	0.00	0.00	-8,449.97	162.86	0.00	8,449.97	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
126 HDC SPECIAL REVENUE FUND							
126 32924		HDC APPLICATION FEE					
	-12,000.00	-12,000.00	-4,915.00	-1,550.00	0.00	-7,085.00	41.0%
126 32931		HDC VARIANCE					
	-1,700.00	-1,700.00	-2,500.00	-2,500.00	0.00	800.00	147.1%
126 36110		INTEREST					
	0.00	0.00	-263.91	-68.50	0.00	263.91	100.0%
126 38910		CASH BALANCE FORWARD					
	-32,485.00	-32,485.00	0.00	0.00	0.00	-32,485.00	.0%
126 53100		PROFESSIONAL SERVICES					
	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	.0%
126 54970		PROGRAM COSTS					
	32,750.00	32,750.00	0.00	0.00	0.00	32,750.00	.0%
126 59990		RESERVE					
	11,935.00	11,935.00	0.00	0.00	0.00	11,935.00	.0%
TOTAL HDC SPECIAL REVENUE FUND	0.00	0.00	-7,678.91	-4,118.50	0.00	7,678.91	100.0%
	TOTAL REVENUES						
	-46,185.00	-46,185.00	-7,678.91	-4,118.50	0.00	-38,506.09	
	TOTAL EXPENSES						
	46,185.00	46,185.00	0.00	0.00	0.00	46,185.00	
	GRAND TOTAL						
	0.00	0.00	-7,678.91	-4,118.50	0.00	7,678.91	100.0%

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City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
130 CDBG ECON DEV							
130 36110		INTEREST					
	-500.00	-500.00	-299.88	-75.93	0.00	-200.12	60.0%
130 38910		CASH BALANCE FORWARD					
	-106,113.00	-106,113.00	0.00	0.00	0.00	-106,113.00	.0%
130 56300		IMPROVEMENTS					
	106,613.00	106,613.00	0.00	0.00	0.00	106,613.00	.0%
TOTAL CDBG ECON DEV	0.00	0.00	-299.88	-75.93	0.00	299.88	100.0%
	TOTAL REVENUES						
	-106,613.00	-106,613.00	-299.88	-75.93	0.00	-106,313.12	
	TOTAL EXPENSES						
	106,613.00	106,613.00	0.00	0.00	0.00	106,613.00	
	GRAND TOTAL	0.00	-299.88	-75.93	0.00	299.88	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
135 LAND CONSERVATION TRUST							
135 36110		INTEREST					
	-1,500.00	-1,500.00	-425.95	-107.41	0.00	-1,074.05	28.4%
135 36800		CAPITAL CONTRIBUTION					
	0.00	0.00	-82,831.50	0.00	0.00	82,831.50	100.0%
135 38910		CASH BALANCE FORWARD					
	-151,616.00	-151,616.00	0.00	0.00	0.00	-151,616.00	.0%
135 53100		PROFESSIONAL SERVICES					
	0.00	1,000.00	1,000.00	0.00	0.00	0.00	100.0%
135 56100		LAND					
	153,116.00	152,116.00	82,831.50	0.00	0.00	69,284.50	54.5%
TOTAL LAND CONSERVATION TRUST							
	0.00	0.00	574.05	-107.41	0.00	-574.05	100.0%
TOTAL REVENUES							
	-153,116.00	-153,116.00	-83,257.45	-107.41	0.00	-69,858.55	
TOTAL EXPENSES							
	153,116.00	153,116.00	83,831.50	0.00	0.00	69,284.50	
GRAND TOTAL							
	0.00	0.00	574.05	-107.41	0.00	-574.05	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
140 BUILDING FEES FUND							
140 32200		BUILDING PERMITS					
	-577,610.00	-577,610.00	-298,232.00	-105,082.00	0.00	-279,378.00	51.6%
140 32202		BUILDING PERMIT-CONSTRUCTION					
	-229,048.00	-229,048.00	-100.00	0.00	0.00	-228,948.00	.0%
140 32203		BUILDING PERMIT-DEMOLITION					
	-5,500.00	-5,500.00	-1,004.00	0.00	0.00	-4,496.00	18.3%
140 32206		BUILDING PERMIT-AFTER THE FACT					
	-5,862.00	-5,862.00	-520.00	0.00	0.00	-5,342.00	8.9%
140 32207		BUILDING PERMIT-REINSPECTION					
	-3,500.00	-3,500.00	-4,455.00	-1,650.00	0.00	955.00	127.3%
140 32208		BUILDING PERMIT-2ND REINSPECT					
	-1,000.00	-1,000.00	0.00	0.00	0.00	-1,000.00	.0%
140 32211		BUILDING PERMIT-FENCING					
	-1,000.00	-1,000.00	0.00	0.00	0.00	-1,000.00	.0%
140 32903		SIGN PERMITS					
	-1,809.00	-1,809.00	-356.00	-87.00	0.00	-1,453.00	19.7%
140 32905		ELECTRICAL PERMITS-GENERAL					
	-60,000.00	-60,000.00	0.00	0.00	0.00	-60,000.00	.0%
140 32906		ELECTRICAL PERMITS-TEMPORARY P					
	-8,500.00	-8,500.00	-2,550.00	-225.00	0.00	-5,950.00	30.0%
140 32908		GAS PERMITS-GENERAL					
	-14,000.00	-14,000.00	-6,160.00	-1,680.00	0.00	-7,840.00	44.0%
140 32909		GAS PERMITS-LP INSTALLATION					
	-6,000.00	-6,000.00	-1,275.00	-225.00	0.00	-4,725.00	21.3%
140 32911		MECHANICAL					
	-38,285.00	-38,285.00	0.00	0.00	0.00	-38,285.00	.0%
140 32912		PLUMBING PERMITS					
	-31,945.00	-31,945.00	-1,830.00	-510.00	0.00	-30,115.00	5.7%
140 32913		PLUMBING-FIXTURE FEES					
	-25,000.00	-25,000.00	0.00	0.00	0.00	-25,000.00	.0%
140 32960		ADMINISTRATION COST BLDING SU					
	-4,413.00	-4,413.00	-1,381.98	-582.28	0.00	-3,031.02	31.3%
140 32980		OTHER MISC PERMITS					
	-1,000.00	-1,000.00	-8,300.00	-1,910.00	0.00	7,300.00	830.0%
140 36110		INTEREST					
	0.00	0.00	-9,540.08	-2,346.16	0.00	9,540.08	100.0%
140 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-32,521.00	0.00	0.00	32,521.00	100.0%
140 38910		CASH BALANCE FORWARD					
	-3,268,384.00	-3,268,384.00	0.00	0.00	0.00	-3,268,384.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
140 51200		SALARIES					
	891,292.00	891,292.00	222,040.53	54,532.15	0.00	669,251.47	24.9%
140 51400		OVERTIME					
	10,000.00	10,000.00	586.13	112.19	0.00	9,413.87	5.9%
140 52100		FICA					
	68,948.00	68,948.00	16,639.50	4,034.12	0.00	52,308.50	24.1%
140 52200		RETIREMENT					
	192,516.00	192,516.00	48,210.03	11,803.18	0.00	144,305.97	25.0%
140 52300		HEALTH INSUR					
	144,467.00	144,467.00	36,731.92	8,752.93	0.00	107,735.08	25.4%
140 52301		LIFE INSUR					
	3,493.00	3,493.00	956.16	231.72	0.00	2,536.84	27.4%
140 52400		WORKERS' COMP					
	8,974.00	8,974.00	2,990.00	748.00	0.00	5,984.00	33.3%
140 53100		PROFESSIONAL SERVICES					
	316,300.00	316,300.00	41,636.72	31,227.90	45,071.28	229,592.00	27.4%
140 53400		CONTRACTUAL					
	320,116.00	320,116.00	38,522.35	909.74	1,255.62	280,338.03	12.4%
140 54000		TRAINING/TRAVEL					
	65,810.00	65,810.00	1,172.75	500.00	0.00	64,637.25	1.8%
140 54100		COMM - PHONE/FAX/ALARM					
	948.00	948.00	72.14	24.07	0.00	875.86	7.6%
140 54101		COMMUNICATIONS-CELLULAR					
	9,000.00	9,000.00	2,170.66	694.24	0.00	6,829.34	24.1%
140 54103		COMMUNICATIONS-INTERNET					
	5,500.00	5,500.00	0.00	0.00	0.00	5,500.00	.0%
140 54500		INSURANCE					
	7,251.00	7,251.00	2,411.00	605.00	0.00	4,840.00	33.3%
140 54611		R/M FACILITIES					
	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	.0%
140 54620		R/M EQUIPMENT					
	685.00	685.00	0.00	0.00	0.00	685.00	.0%
140 54630		R/M VEHICLES-LABOR					
	2,000.00	2,000.00	202.50	120.00	0.00	1,797.50	10.1%
140 54640		R/M VEHICLES-PARTS					
	2,500.00	2,500.00	160.29	27.08	0.00	2,339.71	6.4%
140 54700		PRINTING					
	8,000.00	8,000.00	-544.23	0.00	0.00	8,544.23	-6.8%
140 54934		LEGAL/CONTRACTUAL					
	20,825.00	20,825.00	0.00	0.00	0.00	20,825.00	.0%
140 55100		OFFICE SUPPLIES					
	7,500.00	7,500.00	520.69	176.58	0.00	6,979.31	6.9%
140 55200		OPERATING SUPPLIES					
	8,100.00	8,100.00	1,633.65	74.00	0.00	6,466.35	20.2%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
140 55210		UNIFORMS					
	5,425.00	5,425.00	1,950.00	0.00	0.00	3,475.00	35.9%
140 55230		GAS/OIL					
	7,500.00	7,500.00	1,208.50	385.97	0.00	6,291.50	16.1%
140 55400		BOOKS/SUBS/DUES					
	21,000.00	21,000.00	1,733.00	225.00	0.00	19,267.00	8.3%
140 56400		EQUIPMENT					
	500,000.00	500,000.00	29,077.00	0.00	0.00	470,923.00	5.8%
140 56401		NON CAP EQUIP					
	10,000.00	10,000.00	3,539.04	3,539.04	0.00	6,460.96	35.4%
140 59990		RESERVE					
	1,641,706.00	1,641,706.00	0.00	0.00	0.00	1,641,706.00	.0%
TOTAL BUILDING FEES FUND							
	0.00	0.00	85,395.27	4,425.47	46,326.90	-131,722.17	100.0%
TOTAL REVENUES							
	-4,282,856.00	-4,282,856.00	-368,225.06	-114,297.44	0.00	-3,914,630.94	
TOTAL EXPENSES							
	4,282,856.00	4,282,856.00	453,620.33	118,722.91	46,326.90	3,782,908.77	
GRAND TOTAL							
	0.00	0.00	85,395.27	4,425.47	46,326.90	-131,722.17	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
145 WASTEWATER IMPACT							
145 36110		INTEREST					
	-10,800.00	-10,800.00	-3,337.22	-838.44	0.00	-7,462.78	30.9%
145 36310		IMPACT FEES- INCORPORATED AREA					
	-196,612.00	-196,612.00	-74,272.00	-30,173.00	0.00	-122,340.00	37.8%
145 36311		IMPACT FEES- UNINCORPORATED					
	-111,772.00	-111,772.00	-55,185.01	-305.44	0.00	-56,586.99	49.4%
145 38910		CASH BALANCE FORWARD					
	-1,255,400.00	-1,255,400.00	0.00	0.00	0.00	-1,255,400.00	.0%
145 59230		TRANSFER TO UTIL ACQ DS					
	500,000.00	500,000.00	166,664.00	41,667.00	0.00	333,336.00	33.3%
145 59990		RESERVE					
	1,074,584.00	1,074,584.00	0.00	0.00	0.00	1,074,584.00	.0%
TOTAL WASTEWATER IMPACT	0.00	0.00	33,869.77	10,350.12	0.00	-33,869.77	100.0%
		TOTAL REVENUES					
	-1,574,584.00	-1,574,584.00	-132,794.23	-31,316.88	0.00	-1,441,789.77	
		TOTAL EXPENSES					
	1,574,584.00	1,574,584.00	166,664.00	41,667.00	0.00	1,407,920.00	
	GRAND TOTAL						
	0.00	0.00	33,869.77	10,350.12	0.00	-33,869.77	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
146 WATER IMPACT							
146 36110		INTEREST					
	-1,500.00	-1,500.00	0.00	0.00	0.00	-1,500.00	.0%
146 36310		IMPACT FEES- INCORPORATED AREA					
	-78,778.00	-78,778.00	-28,030.61	-12,686.61	0.00	-50,747.39	35.6%
146 36311		IMPACT FEES- UNINCORPORATED					
	-30,284.00	-30,284.00	-22,893.30	-128.16	0.00	-7,390.70	75.6%
146 38910		CASH BALANCE FORWARD					
	80,912.00	80,912.00	0.00	0.00	0.00	80,912.00	.0%
146 59230		TRANSFER TO UTIL ACQ DS					
	25,000.00	25,000.00	8,336.00	2,083.00	0.00	16,664.00	33.3%
146 59990		RESERVE					
	4,650.00	4,650.00	0.00	0.00	0.00	4,650.00	.0%
TOTAL WATER IMPACT	0.00	0.00	-42,587.91	-10,731.77	0.00	42,587.91	100.0%
	TOTAL REVENUES						
	-29,650.00	-29,650.00	-50,923.91	-12,814.77	0.00	21,273.91	
	TOTAL EXPENSES						
	29,650.00	29,650.00	8,336.00	2,083.00	0.00	21,314.00	
	GRAND TOTAL						
	0.00	0.00	-42,587.91	-10,731.77	0.00	42,587.91	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
150 UTILITY TAX							
150 31410							
	-1,030,500.00	ELECTRIC MUNICIPAL TAX -1,030,500.00	-324,732.67	-79,316.63	0.00	-705,767.33	31.5%
150 31420							
	-807,453.00	TELEPHONE MUNICIPAL TAX -807,453.00	-305,052.81	-71,695.29	0.00	-502,400.19	37.8%
150 31440							
	-220,500.00	GAS MUNICIPAL TAX -220,500.00	-54,377.21	-14,079.37	0.00	-166,122.79	24.7%
150 36110							
	-5,000.00	INTEREST -5,000.00	-3,296.66	-793.22	0.00	-1,703.34	65.9%
150 38910							
	-1,231,773.00	CASH BALANCE FORWARD -1,231,773.00	0.00	0.00	0.00	-1,231,773.00	.0%
150 59100							
	2,500,000.00	TRANSFER TO GENERAL FUND 2,500,000.00	833,336.00	208,333.00	0.00	1,666,664.00	33.3%
150 59990							
	795,226.00	RESERVE 795,226.00	0.00	0.00	0.00	795,226.00	.0%
TOTAL UTILITY TAX	0.00	0.00	145,876.65	42,448.49	0.00	-145,876.65	100.0%
TOTAL REVENUES	-3,295,226.00	-3,295,226.00	-687,459.35	-165,884.51	0.00	-2,607,766.65	
TOTAL EXPENSES	3,295,226.00	3,295,226.00	833,336.00	208,333.00	0.00	2,461,890.00	
GRAND TOTAL	0.00	0.00	145,876.65	42,448.49	0.00	-145,876.65	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
170 CEMETERY							
170 32970		BURIAL PERMITS					
	-3,900.00	-3,900.00	-1,680.00	-360.00	0.00	-2,220.00	43.1%
170 34560		MARKER SETTING FEES					
	-2,500.00	-2,500.00	-1,190.00	-315.00	0.00	-1,310.00	47.6%
170 34570		PERPETUAL CARE					
	-50,000.00	-50,000.00	-31,700.51	-4,473.14	0.00	-18,299.49	63.4%
170 34580		SALE OF LOTS					
	-80,000.00	-80,000.00	-65,858.72	-7,343.00	0.00	-14,141.28	82.3%
170 36110		INTEREST					
	-13,000.00	-13,000.00	-2,266.97	-366.07	0.00	-10,733.03	17.4%
170 36120		UNREALIZED GAIN					
	0.00	0.00	-7,498.44	-1,621.58	0.00	7,498.44	100.0%
170 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-1,625.00	0.00	0.00	1,625.00	100.0%
170 38910		CASH BALANCE FORWARD					
	-160,219.00	-160,219.00	0.00	0.00	0.00	-160,219.00	.0%
170 38913		CASH BAL FOR RESTD CEMET					
	-1,179,842.00	-1,179,842.00	0.00	0.00	0.00	-1,179,842.00	.0%
170 53200		AUDITING					
	2,457.00	2,457.00	817.00	205.00	0.00	1,640.00	33.3%
170 53400		CONTRACTUAL					
	131,530.00	131,530.00	29,049.40	9,662.35	0.00	102,480.60	22.1%
170 54300		UTILITIES ELECTRIC					
	3,800.00	3,800.00	195.59	65.75	0.00	3,604.41	5.1%
170 54310		UTILITIES-WATER & WASTEWATER					
	1,000.00	1,000.00	37.77	12.48	0.00	962.23	3.8%
170 54500		INSURANCE					
	1,546.00	1,546.00	506.00	130.00	0.00	1,040.00	32.7%
170 54610		R/M BLDG & GROUNDS					
	5,000.00	5,000.00	320.95	214.95	0.00	4,679.05	6.4%
170 54611		R/M FACILITIES					
	3,500.00	3,500.00	8.09	8.09	0.00	3,491.91	.2%
170 59990		RESERVE					
	115,286.00	115,286.00	0.00	0.00	0.00	115,286.00	.0%
170 59997		RESERVE REST'D FOR CEMETERY					
	1,225,342.00	1,225,342.00	0.00	0.00	0.00	1,225,342.00	.0%
TOTAL CEMETERY	0.00	0.00	-80,884.84	-4,180.17	0.00	80,884.84	100.0%
TOTAL REVENUES	-1,489,461.00	-1,489,461.00	-111,819.64	-14,478.79	0.00	-1,377,641.36	
TOTAL EXPENSES	1,489,461.00	1,489,461.00	30,934.80	10,298.62	0.00	1,458,526.20	



**City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT**

FOR 2023 04

ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
GRAND TOTAL 0.00	0.00	-80,884.84	-4,180.17	0.00	80,884.84	100.0%

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City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
180 COMM DEVELOP AREA							
180 31110		PROPERTY TAXES					
	-61,449.00	-61,449.00	0.00	0.00	0.00	-61,449.00	.0%
180 31117		PROPERTY TAXES-COUNTY					
	-81,857.00	-81,857.00	0.00	0.00	0.00	-81,857.00	.0%
180 36110		INTEREST					
	-500.00	-500.00	-3,219.08	-727.58	0.00	2,719.08	643.8%
180 38910		CASH BALANCE FORWARD					
	-1,138,460.00	-1,138,460.00	0.00	0.00	0.00	-1,138,460.00	.0%
180 53100		PROFESSIONAL SERVICES					
	0.00	24,500.00	4,400.00	4,400.00	0.00	20,100.00	18.0%
180 53400		CONTRACTUAL					
	0.00	0.00	14,240.21	2,876.25	-14,240.21	0.00	.0%
180 55400		BOOKS/SUBS/DUES					
	0.00	895.00	870.00	0.00	0.00	25.00	97.2%
180 56300		IMPROVEMENTS					
	0.00	-400.00	0.00	0.00	-48,975.98	48,575.98	12244.0%
180 56300 21026		IMPROVEMENTS					
	1,008,910.00	1,008,910.00	186,133.25	32,517.02	56,834.89	765,941.86	24.1%
180 57100		PRINCIPAL					
	49,267.00	49,267.00	0.00	0.00	0.00	49,267.00	.0%
180 57200		INTEREST					
	21,271.00	21,271.00	0.00	0.00	0.00	21,271.00	.0%
180 59990		RESERVE					
	202,818.00	177,823.00	0.00	0.00	0.00	177,823.00	.0%
TOTAL COMM DEVELOP AREA							
	0.00	0.00	202,424.38	39,065.69	-6,381.30	-196,043.08	100.0%
TOTAL REVENUES							
	-1,282,266.00	-1,282,266.00	-3,219.08	-727.58	0.00	-1,279,046.92	
TOTAL EXPENSES							
	1,282,266.00	1,282,266.00	205,643.46	39,793.27	-6,381.30	1,083,003.84	
GRAND TOTAL							
	0.00	0.00	202,424.38	39,065.69	-6,381.30	-196,043.08	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
190 LAW ENFORCE RECOVERY							
190 34210		FEDERAL LAW ENFORCEMENT SUPP					
	-227,402.00	-227,402.00	-72,882.00	-18,220.50	0.00	-154,520.00	32.0%
190 36110		INTEREST					
	0.00	0.00	-460.45	-123.92	0.00	460.45	100.0%
190 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-4,150.00	0.00	0.00	4,150.00	100.0%
190 38910		CASH BALANCE FORWARD					
	-151,287.00	-151,287.00	0.00	0.00	0.00	-151,287.00	.0%
190 53400		CONTRACTUAL					
	3,000.00	3,000.00	577.50	192.50	0.00	2,422.50	19.3%
190 54000		TRAINING/TRAVEL					
	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	.0%
190 54921		UNDERCOVER					
	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	.0%
190 55200		OPERATING SUPPLIES					
	16,402.00	16,402.00	2,866.74	1,184.22	0.00	13,535.26	17.5%
190 56400		MACH/EQUIP					
	234,433.00	234,433.00	9,320.10	0.00	117,239.40	107,873.50	54.0%
190 59990		RESERVE					
	114,854.00	114,854.00	0.00	0.00	0.00	114,854.00	.0%
TOTAL LAW ENFORCE RECOVERY	0.00	0.00	-64,728.11	-16,967.70	117,239.40	-52,511.29	100.0%
TOTAL REVENUES	-378,689.00	-378,689.00	-77,492.45	-18,344.42	0.00	-301,196.55	
TOTAL EXPENSES	378,689.00	378,689.00	12,764.34	1,376.72	117,239.40	248,685.26	
GRAND TOTAL	0.00	0.00	-64,728.11	-16,967.70	117,239.40	-52,511.29	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
220 BOND DEBT SERVICE							
220 59100							
	0.00	0.00	6,565.54	6,565.54	0.00	-6,565.54	100.0%
TRANSFER TO GENERAL FUND							
TOTAL BOND DEBT SERVICE	0.00	0.00	6,565.54	6,565.54	0.00	-6,565.54	100.0%
TOTAL EXPENSES	0.00	0.00	6,565.54	6,565.54	0.00	-6,565.54	
GRAND TOTAL	0.00	0.00	6,565.54	6,565.54	0.00	-6,565.54	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
230 UTILITY DEBT SERVICE							
230 36110		INTEREST					
	-5,800.00	-5,800.00	-2,167.74	-792.29	0.00	-3,632.26	37.4%
230 38140		FROM WW IMPACT FEES					
	-500,000.00	-500,000.00	-166,664.00	-41,667.00	0.00	-333,336.00	33.3%
230 38141		FROM WATER IMPACT FEES					
	-25,000.00	-25,000.00	-8,336.00	-2,083.00	0.00	-16,664.00	33.3%
230 38145		FROM WASTEWATER					
	-236,598.00	-236,598.00	-78,862.00	-19,717.00	0.00	-157,736.00	33.3%
230 38146		FROM WATER					
	-1,991,895.00	-1,991,895.00	-663,967.00	-165,991.00	0.00	-1,327,928.00	33.3%
230 38910		CASH BALANCE FORWARD					
	-300,865.00	-300,865.00	0.00	0.00	0.00	-300,865.00	.0%
230 57100		PRINCIPAL					
	1,803,000.00	1,803,000.00	0.00	0.00	0.00	1,803,000.00	.0%
230 57200		INTEREST					
	950,493.00	950,493.00	0.00	0.00	0.00	950,493.00	.0%
230 59990		RESERVE					
	306,665.00	306,665.00	0.00	0.00	0.00	306,665.00	.0%
TOTAL UTILITY DEBT SERVICE							
	0.00	0.00	-919,996.74	-230,250.29	0.00	919,996.74	100.0%
TOTAL REVENUES							
	-3,060,158.00	-3,060,158.00	-919,996.74	-230,250.29	0.00	-2,140,161.26	
TOTAL EXPENSES							
	3,060,158.00	3,060,158.00	0.00	0.00	0.00	3,060,158.00	
GRAND TOTAL							
	0.00	0.00	-919,996.74	-230,250.29	0.00	919,996.74	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
300 CAPITAL IMPROVEMENT							
300 33400		STATE GRANT					
	-912,800.00	-1,912,800.00	0.00	0.00	0.00	-1,912,800.00	.0%
300 33544		8TH CENT GAS TAX					
	-81,029.00	-81,029.00	-26,715.10	-6,678.78	0.00	-54,313.90	33.0%
300 33710		COUNTY GRANT					
	-108,574.00	-108,574.00	0.00	0.00	0.00	-108,574.00	.0%
300 36110		INTEREST					
	-8,000.00	-8,000.00	-5,861.17	-1,590.64	0.00	-2,138.83	73.3%
300 36990		OTHER REVENUE					
	-154,625.00	-154,625.00	0.00	0.00	0.00	-154,625.00	.0%
300 38101		FROM GENERAL FUND					
	-4,009,603.00	-3,911,803.00	-1,238,731.00	-311,334.00	0.00	-2,673,072.00	31.7%
300 38910		CASH BALANCE FORWARD					
	-1,130,741.00	-1,130,741.00	0.00	0.00	0.00	-1,130,741.00	.0%
TOTAL CAPITAL IMPROVEMENT							
	-6,405,372.00	-7,307,572.00	-1,271,307.27	-319,603.42	0.00	-6,036,264.73	17.4%
TOTAL REVENUES							
	-6,405,372.00	-7,307,572.00	-1,271,307.27	-319,603.42	0.00	-6,036,264.73	
GRAND TOTAL							
	-6,405,372.00	-7,307,572.00	-1,271,307.27	-319,603.42	0.00	-6,036,264.73	17.4%
** END OF REPORT - Generated by Ashley Butler **							



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

ORIGINAL APPROP		REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
3001000 GENERAL GOVERNMENT							
3001000 56200	BUILDING						
200,000.00	32,131.00	0.00	0.00	-6,832.00	38,963.00	-21.3%	
3001000 56200 22006	BUILDING						
6,185.00	6,185.00	0.00	0.00	6,184.73	0.27	100.0%	
3001000 56200 23010	BUILDING						
200,000.00	200,000.00	0.00	0.00	0.00	200,000.00	.0%	
3001000 56200 23056	BUILDING						
0.00	167,869.00	0.00	0.00	0.00	167,869.00	.0%	
3001000 56300	IMPROVEMENTS						
300,000.00	100,000.00	0.00	0.00	0.00	100,000.00	.0%	
3001000 56300 23050	IMPROVEMENTS						
0.00	200,000.00	0.00	0.00	70,000.00	130,000.00	35.0%	
3001000 56410	SOFTWARE						
0.00	0.00	0.00	0.00	-114,231.00	114,231.00	100.0%	
3001000 56410 22018	SOFTWARE						
166,000.00	166,000.00	25,560.00	4,840.00	88,671.00	51,769.00	68.8%	
3001000 57100	PRINCIPAL						
132,452.00	132,452.00	70,085.29	0.00	0.00	62,366.71	52.9%	
3001000 57200	INTEREST						
16,664.00	16,664.00	13,016.93	0.00	0.00	3,647.07	78.1%	
3001000 59990	RESERVE						
1,676.00	1,676.00	0.00	0.00	0.00	1,676.00	.0%	
TOTAL GENERAL GOVERNMENT							
1,022,977.00	1,022,977.00	108,662.22	4,840.00	43,792.73	870,522.05	14.9%	
TOTAL EXPENSES							
1,022,977.00	1,022,977.00	108,662.22	4,840.00	43,792.73	870,522.05		
3001310 CAP IMP IT							
3001310 56400	EQUIPMENT						
125,000.00	125,000.00	7,741.25	1,592.50	-7,741.25	125,000.00	.0%	
TOTAL CAP IMP IT							
125,000.00	125,000.00	7,741.25	1,592.50	-7,741.25	125,000.00	.0%	
TOTAL EXPENSES							
125,000.00	125,000.00	7,741.25	1,592.50	-7,741.25	125,000.00		
3002100 CAP IMP POLICE							
3002100 56300	IMPROVEMENTS						



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

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3002100	CAP IMP POLICE	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
		30,000.00	0.00	0.00	0.00	0.00	0.00	.0%
	TOTAL CAP IMP POLICE	30,000.00	0.00	0.00	0.00	0.00	0.00	.0%
	TOTAL EXPENSES	30,000.00	0.00	0.00	0.00	0.00	0.00	
3002200 CAP IMP FIRE								
3002200	56300	IMPROVEMENTS						
	135,000.00	100,000.00	0.00	0.00	0.00	100,000.00	.0%	
3002200	56300 23047	IMPROVEMENTS						
	0.00	35,000.00	0.00	0.00	35,000.00	0.00	100.0%	
3002200	56400	MACH/EQUIP						
	282,000.00	282,000.00	0.00	0.00	282,000.00	0.00	100.0%	
	TOTAL CAP IMP FIRE	417,000.00	417,000.00	0.00	0.00	317,000.00	100,000.00	76.0%
	TOTAL EXPENSES	417,000.00	417,000.00	0.00	0.00	317,000.00	100,000.00	
3004100 CAP IMP STREETS								
3004100	56311 23006	SIDEWALKS-GENL/MISC						
	110,000.00	110,000.00	86,666.93	18,244.96	12,154.64	11,178.43	89.8%	
3004100	56320	STREET PAVNG/RESURFACING-CAPIT						
	0.00	0.00	0.00	0.00	-259,822.42	259,822.42	100.0%	
3004100	56320 21026	STREET PAVING/RESURFACING-CAPI						
	0.00	75,644.00	55,610.46	43,685.46	11,363.08	8,670.46	88.5%	
3004100	56320 22014	STREET PAVING/RESURFACING-CAPI						
	75,644.00	0.00	0.00	0.00	0.00	0.00	.0%	
3004100	56320 23007	STREET PAVING/RESURFACING-CAPI						
	800,000.00	800,000.00	0.00	0.00	735,000.00	65,000.00	91.9%	
3004100	56500 20022	INFRASTRUCTURE						
	155,000.00	155,000.00	6,292.27	851.17	9,125.00	139,582.73	9.9%	
	TOTAL CAP IMP STREETS	1,140,644.00	1,140,644.00	148,569.66	62,781.59	507,820.30	484,254.04	57.5%
	TOTAL EXPENSES	1,140,644.00	1,140,644.00	148,569.66	62,781.59	507,820.30	484,254.04	
3007200 CAP IMP REC								



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3007200	CAP	IMP	REC	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
3007200	56300			IMPROVEMENTS						
		625,000.00			437,221.00	0.00	0.00	0.00	437,221.00	.0%
3007200	56300	22017		IMPROVEMENTS						
		0.00			164,979.00	0.00	0.00	164,978.30	0.70	100.0%
3007200	56300	23036		IMPROVEMENTS						
		0.00			30,303.00	0.00	0.00	0.00	30,303.00	.0%
3007200	56300	23037		IMPROVEMENTS						
		0.00			126,263.00	0.00	0.00	0.00	126,263.00	.0%
3007200	56300	23038		IMPROVEMENTS						
		0.00			186,869.00	0.00	0.00	0.00	186,869.00	.0%
3007200	56300	23039		IMPROVEMENTS						
		0.00			404,040.00	0.00	0.00	0.00	404,040.00	.0%
3007200	56300	23040		IMPROVEMENTS						
		0.00			252,525.00	0.00	0.00	0.00	252,525.00	.0%
3007200	56327			BEACH MONITORING/REPORTING						
		55,000.00			55,000.00	0.00	0.00	0.00	55,000.00	.0%
3007200	56331	22029		BEACH RENOUR / ENGINEERING						
		45,000.00			45,000.00	0.00	0.00	35,000.00	10,000.00	77.8%
3007200	56333	20041		HABITAT CONSERVATION PLAN						
		179,501.00			179,501.00	0.00	0.00	0.00	179,501.00	.0%
TOTAL CAP IMP REC										
		904,501.00			1,881,701.00	0.00	0.00	199,978.30	1,681,722.70	10.6%
TOTAL EXPENSES										
		904,501.00			1,881,701.00	0.00	0.00	199,978.30	1,681,722.70	
3007210 PARKS IMPROVEMENTS										
3007210	56300			IMPROVEMENTS						
		330,000.00			285,000.00	0.00	0.00	0.00	285,000.00	.0%
3007210	56300	22037		IMPROVEMENTS						
		0.00			0.00	545.45	545.45	0.00	-545.45	100.0%
3007210	56300	23008		IMPROVEMENTS						
		300,000.00			300,000.00	1,875.00	1,875.00	13,875.00	284,250.00	5.3%
3007210	56300	23011		IMPROVEMENTS						
		40,000.00			60,000.00	23,778.57	13,779.07	19,900.00	16,321.43	72.8%
3007210	56300	23012		IMPROVEMENTS						
		50,000.00			50,000.00	0.00	0.00	0.00	50,000.00	.0%
3007210	56300	23013		IMPROVEMENTS						
		300,000.00			300,000.00	1,650.00	1,650.00	12,100.00	286,250.00	4.6%
3007210	56300	23027		IMPROVEMENTS						
		35,000.00			35,000.00	0.00	0.00	0.00	35,000.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

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3007210 PARKS IMPROVEMENTS	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
TOTAL PARKS IMPROVEMENTS	1,055,000.00	1,030,000.00	27,849.02	17,849.52	45,875.00	956,275.98	7.2%
TOTAL EXPENSES	1,055,000.00	1,030,000.00	27,849.02	17,849.52	45,875.00	956,275.98	
3007220 CAP IMP PECK							
3007220 56300 IMPROVEMENTS	0.00	0.00	0.00	0.00	-728,483.56	728,483.56	100.0%
3007220 56300 21022 IMPROVEMENTS	1,565,250.00	1,565,250.00	371,936.30	105,991.00	440,444.26	752,869.44	51.9%
TOTAL CAP IMP PECK	1,565,250.00	1,565,250.00	371,936.30	105,991.00	-288,039.30	1,481,353.00	5.4%
TOTAL EXPENSES	1,565,250.00	1,565,250.00	371,936.30	105,991.00	-288,039.30	1,481,353.00	
3007225 MLK CENTER							
3007225 56300 IMPROVEMENTS	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	.0%
TOTAL MLK CENTER	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	.0%
TOTAL EXPENSES	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	
3007400 CAP IMP AQUATICS							
3007400 56300 IMPROVEMENTS	20,000.00	0.00	0.00	0.00	0.00	0.00	.0%
TOTAL CAP IMP AQUATICS	20,000.00	0.00	0.00	0.00	0.00	0.00	.0%
TOTAL EXPENSES	20,000.00	0.00	0.00	0.00	0.00	0.00	
GRAND TOTAL	6,405,372.00	7,307,572.00	664,758.45	193,054.61	818,685.78	5,824,127.77	20.3%

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Revenues	(\$1,271,307)
Expenses	\$ 664,758
Net	(\$ 606,549)



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	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
310 CAPITAL EXPANSION							
310 33400	STATE GRANT						
	0.00	0.00	-71.13	0.00	0.00	71.13	100.0%
310 33440	OTHER GRANT						
	-60,000.00	-60,000.00	0.00	0.00	0.00	-60,000.00	.0%
310 36110	INTEREST						
	-25,000.00	-25,000.00	-22,970.95	-6,089.85	0.00	-2,029.05	91.9%
TOTAL CAPITAL EXPANSION							
	-85,000.00	-85,000.00	-23,042.08	-6,089.85	0.00	-61,957.92	27.1%
TOTAL REVENUES							
	-85,000.00	-85,000.00	-23,042.08	-6,089.85	0.00	-61,957.92	
3101000 CAP EXP ADMIN							
3101000 32410	IMPACT FEES ADMIN						
	-100,000.00	-100,000.00	-32,369.10	-3,391.16	0.00	-67,630.90	32.4%
3101000 38910	CASH BALANCE FORWARD						
	-1,331,510.00	-1,331,510.00	0.00	0.00	0.00	-1,331,510.00	.0%
TOTAL CAP EXP ADMIN							
	-1,431,510.00	-1,431,510.00	-32,369.10	-3,391.16	0.00	-1,399,140.90	2.3%
TOTAL REVENUES							
	-1,431,510.00	-1,431,510.00	-32,369.10	-3,391.16	0.00	-1,399,140.90	
3102100 CAP EXP POLICE							
3102100 32421	IMPACT FEES POLICE						
	-60,000.00	-60,000.00	-26,304.48	-2,755.80	0.00	-33,695.52	43.8%
3102100 38910	CASH BALANCE FORWARD						
	-409,934.00	-409,934.00	0.00	0.00	0.00	-409,934.00	.0%
TOTAL CAP EXP POLICE							
	-469,934.00	-469,934.00	-26,304.48	-2,755.80	0.00	-443,629.52	5.6%
TOTAL REVENUES							
	-469,934.00	-469,934.00	-26,304.48	-2,755.80	0.00	-443,629.52	
3102200 CAP EXP FIRE							
3102200 32422	IMPACT FEES FIRE						



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

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3102200	CAP EXP FIRE	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
		-80,000.00	-80,000.00	-19,289.95	-2,020.92	0.00	-60,710.05	24.1%
3102200	38910	CASH BALANCE FORWARD						
		-639,416.00	-639,416.00	0.00	0.00	0.00	-639,416.00	.0%
	TOTAL CAP EXP FIRE	-719,416.00	-719,416.00	-19,289.95	-2,020.92	0.00	-700,126.05	2.7%
	TOTAL REVENUES	-719,416.00	-719,416.00	-19,289.95	-2,020.92	0.00	-700,126.05	
3107200 CAP EXP RECREATION								
		-650,000.00	-650,000.00	-199,142.89	-11,987.17	0.00	-450,857.11	30.6%
3107200	38910	CASH BALANCE FORWARD						
		-3,144,450.00	-3,144,450.00	0.00	0.00	0.00	-3,144,450.00	.0%
	TOTAL CAP EXP RECREATION	-3,794,450.00	-3,794,450.00	-199,142.89	-11,987.17	0.00	-3,595,307.11	5.2%
	TOTAL REVENUES	-3,794,450.00	-3,794,450.00	-199,142.89	-11,987.17	0.00	-3,595,307.11	
	GRAND TOTAL	-6,500,310.00	-6,500,310.00	-300,148.50	-26,244.90	0.00	-6,200,161.50	4.6%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

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ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
3101000 CAP EXP ADMIN						
3101000 59990 RESERVE						
1,437,545.00	1,437,545.00	0.00	0.00	0.00	1,437,545.00	.0%
TOTAL CAP EXP ADMIN						
1,437,545.00	1,437,545.00	0.00	0.00	0.00	1,437,545.00	.0%
TOTAL EXPENSES						
1,437,545.00	1,437,545.00	0.00	0.00	0.00	1,437,545.00	
3102100 CAP EXP POLICE						
3102100 56400 MACH/EQUIP						
10,000.00	10,000.00	0.00	0.00	0.00	10,000.00	.0%
3102100 59990 RESERVE						
461,747.00	461,747.00	0.00	0.00	0.00	461,747.00	.0%
TOTAL CAP EXP POLICE						
471,747.00	471,747.00	0.00	0.00	0.00	471,747.00	.0%
TOTAL EXPENSES						
471,747.00	471,747.00	0.00	0.00	0.00	471,747.00	
3102200 CAP EXP FIRE						
3102200 56200 BUILDING						
0.00	0.00	0.00	0.00	-341,396.51	341,396.51	100.0%
3102200 56200 19051 BUILDING						
375,000.00	375,000.00	215,680.97	115,308.91	80,585.88	78,733.15	79.0%
3102200 59990 RESERVE						
347,314.00	347,314.00	0.00	0.00	0.00	347,314.00	.0%
TOTAL CAP EXP FIRE						
722,314.00	722,314.00	215,680.97	115,308.91	-260,810.63	767,443.66	-6.2%
TOTAL EXPENSES						
722,314.00	722,314.00	215,680.97	115,308.91	-260,810.63	767,443.66	
3107200 CAP EXP RECREATION						
3107200 56300 IMPROVEMENTS						
120,000.00	0.00	0.00	0.00	0.00	0.00	.0%



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3107200	CAP EXP RECREATION	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
3107200 56300 23042	IMPROVEMENTS	0.00	120,000.00	0.00	0.00	12,700.00	107,300.00	10.6%
3107200 59990	RESERVE	3,748,704.00	3,748,704.00	0.00	0.00	0.00	3,748,704.00	.0%
TOTAL CAP EXP RECREATION		3,868,704.00	3,868,704.00	0.00	0.00	12,700.00	3,856,004.00	.3%
	TOTAL EXPENSES	3,868,704.00	3,868,704.00	0.00	0.00	12,700.00	3,856,004.00	
	GRAND TOTAL	6,500,310.00	6,500,310.00	215,680.97	115,308.91	-248,110.63	6,532,739.66	-.5%

** END OF REPORT - Generated by Ashley Butler **

See next schedule for balances by Function. The total is based on actual expenses and not budgeted projects.

CAPITAL EXPANSION FUND**PRELIMINARY January**

	FY21-22 BALANCE FORWARD	FY22-23 REVENUE	FY22-23 INTEREST	FY22-23 EXPENSES	FY22-23 BALANCE FORWARD
POLICE	459,281.70	26,304.48	1,767.54	-	487,353.72
FIRE	594,525.90	19,289.95	2,288.03	215,680.97	400,422.91
SANITATION	-	-	-	-	-
RECREATION/PARKS	3,507,430.61	199,214.02	13,498.31	-	3,720,142.94
ADMINISTRATION	1,407,582.64	32,369.10	5,417.07	-	1,445,368.81
	5,968,820.85	277,177.55	22,970.95	215,680.97	6,053,288.38



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

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	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
315 OTHER CAPITAL IMPROVEMENTS							
315 36110		INTEREST					
	-5,000.00	-5,000.00	-13,468.67	-3,182.76	0.00	8,468.67	269.4%
315 38910		CASH BALANCE FORWARD					
	-3,965,299.00	-3,965,299.00	0.00	0.00	0.00	-3,965,299.00	.0%
TOTAL OTHER CAPITAL IMPROVEMENTS	-3,970,299.00	-3,970,299.00	-13,468.67	-3,182.76	0.00	-3,956,830.33	.3%
TOTAL REVENUES	-3,970,299.00	-3,970,299.00	-13,468.67	-3,182.76	0.00	-3,956,830.33	
3151000 OTHER CAPITAL IMPROVEMENTS							
3151000 56300		IMPROVEMENTS					
	3,223,285.00	1,873,286.00	0.00	0.00	0.00	1,873,286.00	.0%
3151000 56300 21026		IMPROVEMENTS					
	747,014.00	747,014.00	649,785.59	336,253.05	108,454.93	-11,226.52	101.5%
3151000 56300 23043		IMPROVEMENTS					
	0.00	100,000.00	0.00	0.00	0.00	100,000.00	.0%
3151000 56300 23044		IMPROVEMENTS					
	0.00	400,000.00	0.00	0.00	0.00	400,000.00	.0%
3151000 56300 23045		IMPROVEMENTS					
	0.00	350,000.00	0.00	0.00	0.00	350,000.00	.0%
3151000 56300 23046		IMPROVEMENTS					
	0.00	150,000.00	0.00	0.00	0.00	150,000.00	.0%
3151000 56300 23051		IMPROVEMENTS					
	0.00	175,000.00	0.00	0.00	15,350.00	159,650.00	8.8%
3151000 56300 23052		IMPROVEMENTS					
	0.00	174,999.00	0.00	0.00	15,350.00	159,649.00	8.8%
TOTAL OTHER CAPITAL IMPROVEMENTS	3,970,299.00	3,970,299.00	649,785.59	336,253.05	139,154.93	3,181,358.48	19.9%
TOTAL EXPENSES	3,970,299.00	3,970,299.00	649,785.59	336,253.05	139,154.93	3,181,358.48	
GRAND TOTAL	0.00	0.00	636,316.92	333,070.29	139,154.93	-775,471.85	100.0%

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City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
330 WASTEWATER IMPROVEMENT							
330 36110		INTEREST					
	-44,200.00	-44,200.00	-27,367.27	-8,186.41	0.00	-16,832.73	61.9%
330 36120		UNREALIZED GAIN					
	0.00	0.00	-1,067.22	-148.76	0.00	1,067.22	100.0%
330 38145		FROM WASTEWATER					
	-500,000.00	-500,000.00	-166,664.00	-41,667.00	0.00	-333,336.00	33.3%
330 38910		CASH BALANCE FORWARD					
	-9,190,066.00	-9,190,066.00	0.00	0.00	0.00	-9,190,066.00	.0%
330 56300		IMPROVEMENTS					
	0.00	0.00	5,243.21	0.00	-5,348.81	105.60	100.0%
330 56300 22012		IMPROVEMENTS					
	54,950.00	54,950.00	55,960.81	0.00	-54,949.91	53,939.10	1.8%
330 56300 23005		IMPROVEMENTS					
	400,000.00	400,000.00	0.00	0.00	0.00	400,000.00	.0%
330 59990		RESERVE					
	9,279,316.00	9,279,316.00	0.00	0.00	0.00	9,279,316.00	.0%
TOTAL WASTEWATER IMPROVEMENT							
	0.00	0.00	-133,894.47	-50,002.17	-60,298.72	194,193.19	100.0%
TOTAL REVENUES							
	-9,734,266.00	-9,734,266.00	-195,098.49	-50,002.17	0.00	-9,539,167.51	
TOTAL EXPENSES							
	9,734,266.00	9,734,266.00	61,204.02	0.00	-60,298.72	9,733,360.70	
GRAND TOTAL							
	0.00	0.00	-133,894.47	-50,002.17	-60,298.72	194,193.19	100.0%

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	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
410 GOLF							
410 34710		GREEN FEES					
	-590,000.00	-590,000.00	-189,327.71	-53,169.90	0.00	-400,672.29	32.1%
410 34713		GOLF CARTS					
	-370,000.00	-370,000.00	-103,845.82	-29,389.69	0.00	-266,154.18	28.1%
410 34714		RANGE FEES					
	-72,000.00	-72,000.00	-19,308.48	-6,554.39	0.00	-52,691.52	26.8%
410 34718		FACILITY RENTAL					
	-33,730.00	-33,730.00	0.00	0.00	0.00	-33,730.00	.0%
410 34733		MEMBERSHIPS	LY \$142,450.66				
	-220,000.00	-220,000.00	-156,375.00	-5,050.00	0.00	-63,625.00	71.1%
410 36110		INTEREST					
	0.00	0.00	-153.22	-28.29	0.00	153.22	100.0%
410 36990		OTHER REVENUE					
	0.00	0.00	19.35	15.90	0.00	-19.35	100.0%
410 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-11,955.00	-8,805.00	0.00	11,955.00	100.0%
410 38101		FROM GENERAL FUND					
	-135,000.00	-135,000.00	-45,000.00	-11,250.00	0.00	-90,000.00	33.3%
410 38145		FROM WASTEWATER					
	-1,360,208.00	-1,360,208.00	-1,360,208.00	0.00	0.00	0.00	100.0%
410 38910		CASH BALANCE FORWARD					
	1,417,385.00	1,417,385.00	0.00	0.00	0.00	1,417,385.00	.0%
410 51200		SALARIES					
	376,129.00	376,129.00	113,364.61	28,536.70	0.00	262,764.39	30.1%
410 51350		PART-TIME					
	211,002.00	211,002.00	75,127.91	17,880.60	0.00	135,874.09	35.6%
410 51400		OVERTIME					
	10,000.00	10,000.00	7,681.95	3,508.42	0.00	2,318.05	76.8%
410 52100		FICA					
	44,871.00	44,871.00	14,932.06	3,768.51	0.00	29,938.94	33.3%
410 52200		RETIREMENT					
	72,650.00	72,650.00	25,102.95	6,281.37	0.00	47,547.05	34.6%
410 52300		HEALTH INSUR					
	33,717.00	33,717.00	12,058.86	2,441.52	0.00	21,658.14	35.8%
410 52301		LIFE INSUR					
	1,698.00	1,698.00	428.37	107.25	0.00	1,269.63	25.2%
410 52350		OPEB COSTS					
	794.00	794.00	266.00	66.00	0.00	528.00	33.5%
410 52400		WORKERS' COMP					
	4,969.00	4,969.00	1,657.00	414.00	0.00	3,312.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
410 53100		PROFESSIONAL SERVICES					
	2,000.00	2,000.00	672.10	100.00	0.00	1,327.90	33.6%
410 53200		AUDITING					
	7,371.00	7,371.00	2,459.00	614.00	0.00	4,912.00	33.4%
410 53400		CONTRACTUAL					
	15,530.00	15,530.00	7,220.21	2,414.05	0.00	8,309.79	46.5%
410 54000		TRAINING/TRAVEL					
	1,160.00	1,160.00	148.93	48.79	0.00	1,011.07	12.8%
410 54100		COMM - PHONE/FAX/ALARM					
	2,340.00	2,340.00	216.42	72.21	0.00	2,123.58	9.2%
410 54101		COMMUNICATIONS-CELLULAR					
	600.00	600.00	175.00	25.00	0.00	425.00	29.2%
410 54103		COMMUNICATIONS-INTERNET					
	5,835.00	5,835.00	1,271.80	318.16	0.00	4,563.20	21.8%
410 54200		POSTAGE					
	100.00	100.00	0.00	0.00	0.00	100.00	.0%
410 54300		UTILITIES ELECTRIC					
	60,000.00	60,000.00	14,184.09	4,490.18	0.00	45,815.91	23.6%
410 54310		UTILITIES-WATER & WASTEWATER					
	10,200.00	10,200.00	3,786.93	929.53	0.00	6,413.07	37.1%
410 54500		INSURANCE					
	31,251.00	31,251.00	10,419.00	2,604.00	0.00	20,832.00	33.3%
410 54610		R/M BLDG & GROUNDS					
	10,000.00	10,000.00	0.00	0.00	0.00	10,000.00	.0%
410 54611		R/M FACILITIES					
	15,000.00	15,000.00	7,526.44	3,876.27	0.00	7,473.56	50.2%
410 54620		R/M EQUIPMENT					
	60,000.00	60,000.00	5,978.63	4,476.53	0.00	54,021.37	10.0%
410 54630		R/M VEHICLES-LABOR					
	500.00	500.00	735.00	660.00	0.00	-235.00	147.0%
410 54640		R/M VEHICLES-PARTS					
	500.00	500.00	281.43	276.43	0.00	218.57	56.3%
410 54800		PROMOTIONAL					
	13,400.00	13,400.00	6,863.56	1,203.96	0.00	6,536.44	51.2%
410 55100		OFFICE SUPPLIES					
	1,000.00	1,000.00	331.28	126.86	0.00	668.72	33.1%
410 55200		OPERATING SUPPLIES					
	175,029.00	175,029.00	64,065.85	16,625.60	0.00	110,963.15	36.6%
410 55210		UNIFORMS					
	3,000.00	3,000.00	1,400.00	0.00	0.00	1,600.00	46.7%
410 55220		JANITORIAL SUPPLIES					
	500.00	500.00	538.88	0.00	0.00	-38.88	107.8%
410 55230		GAS/OIL					
	50,000.00	50,000.00	9,742.69	2,268.95	0.00	40,257.31	19.5%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
410 55400		BOOKS/SUBS/DUES					
	10,600.00	10,600.00	405.00	150.00	0.00	10,195.00	3.8%
410 56300		IMPROVEMENTS					
	100,000.00	86,574.00	0.00	0.00	0.00	86,574.00	.0%
410 56300 23003		IMPROVEMENTS					
	35,000.00	35,000.00	0.00	0.00	0.00	35,000.00	.0%
410 56300 23004		IMPROVEMENTS					
	25,000.00	25,000.00	0.00	0.00	18,040.00	6,960.00	72.2%
410 56300 23053		IMPROVEMENTS					
	0.00	13,426.00	0.00	0.00	0.00	13,426.00	.0%
410 56400		MACH/EQUIP					
	60,000.00	60,000.00	44,516.13	23,497.08	13,060.00	2,423.87	96.0%
410 56401		EQUIP-NON CAPITAL					
	600.00	600.00	1,688.00	0.00	0.00	-1,088.00	281.3%
410 59990		RESERVE					
	31.00	31.00	0.00	0.00	0.00	31.00	.0%
TOTAL GOLF	88,824.00	88,824.00	-1,450,907.80	13,550.60	31,100.00	1,508,631.80	-1598.5%
	TOTAL REVENUES						
	-1,363,553.00	-1,363,553.00	-1,886,153.88	-114,231.37	0.00	522,600.88	
	TOTAL EXPENSES						
	1,452,377.00	1,452,377.00	435,246.08	127,781.97	31,100.00	986,030.92	
4107260 GOLF TOPTRACER							
4107260 34716		TT FOOD & BEVERAGE					
	-20,000.00	-20,000.00	-3,640.98	-732.26	0.00	-16,359.02	18.2%
4107260 34717		BAY RENTALS					
	-100,000.00	-100,000.00	-16,867.50	-4,105.00	0.00	-83,132.50	16.9%
4107260 34790		TOPTRACER BAY SPONSORSHIP					
	-35,000.00	-35,000.00	-3,666.52	-916.63	0.00	-31,333.48	10.5%
4107260 51350		PART TIME SALARIES					
	70,980.00	70,980.00	16,858.75	4,075.50	0.00	54,121.25	23.8%
4107260 51400		OVERTIME					
	0.00	0.00	1,378.60	668.26	0.00	-1,378.60	100.0%
4107260 52100		FICA					
	5,430.00	5,430.00	1,395.14	362.89	0.00	4,034.86	25.7%
4107260 52400		WORKERS' COMP					
	1,967.00	1,967.00	655.00	164.00	0.00	1,312.00	33.3%
4107260 54103		COMMUNICATIONS-INTERNET					
	3,500.00	3,500.00	3,096.04	860.01	0.00	403.96	88.5%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

4107260 GOLF TOPTRACER	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
4107260 54400	30,000.00	RENTALS/LEASES 30,000.00	8,000.00	4,000.00	0.00	22,000.00	26.7%
4107260 54611	10,000.00	R/M FACILITIES 10,000.00	0.00	0.00	0.00	10,000.00	.0%
4107260 54800	2,500.00	PROMOTIONAL 2,500.00	450.00	0.00	0.00	2,050.00	18.0%
4107260 55200	7,500.00	OPERATING SUPPLIES 7,500.00	3.88	0.00	0.00	7,496.12	.1%
4107260 55550	8,000.00	F&B COST OF SALES 8,000.00	878.11	172.98	0.00	7,121.89	11.0%
TOTAL GOLF TOPTRACER	-15,123.00	-15,123.00	8,540.52	4,549.75	0.00	-23,663.52	-56.5%
	-155,000.00	TOTAL REVENUES -155,000.00	-24,175.00	-5,753.89	0.00	-130,825.00	
	139,877.00	TOTAL EXPENSES 139,877.00	32,715.52	10,303.64	0.00	107,161.48	
4107261 GOLF PRO SHOP							
4107261 34715	-100,000.00	PRO SHOP SALES -100,000.00	-29,825.28	-5,834.33	0.00	-70,174.72	29.8%
4107261 34719	-30,000.00	GOLF INSTRUCTION -30,000.00	-3,494.67	-3,494.67	0.00	-26,505.33	11.6%
4107261 51200	0.00	SALARIES 0.00	4,571.55	0.00	0.00	-4,571.55	100.0%
4107261 51350	49,608.00	PART TIME SALARIES 49,608.00	13,258.44	3,829.65	0.00	36,349.56	26.7%
4107261 51400	0.00	OVERTIME 0.00	1,762.22	863.78	0.00	-1,762.22	100.0%
4107261 52100	3,795.00	FICA 3,795.00	1,498.80	359.04	0.00	2,296.20	39.5%
4107261 52200	0.00	RETIREMENT 0.00	987.46	0.00	0.00	-987.46	100.0%
4107261 52300	0.00	HEALTH INSUR 0.00	1,528.52	0.00	0.00	-1,528.52	100.0%
4107261 52301	0.00	LIFE INSUR 0.00	25.60	0.00	0.00	-25.60	100.0%
4107261 52400	1,563.00	WORKERS' COMP 1,563.00	523.00	130.00	0.00	1,040.00	33.5%
4107261 54970	24,000.00	PROGRAM COSTS 24,000.00	0.00	0.00	0.00	24,000.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

4107261	GOLF PRO SHOP	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
4107261 55545	PRO SHOP COST OF SALES	60,000.00	60,000.00	18,902.90	2,836.84	0.00	41,097.10	31.5%
	TOTAL GOLF PRO SHOP	8,966.00	8,966.00	9,738.54	-1,309.69	0.00	-772.54	108.6%
	TOTAL REVENUES	-130,000.00	-130,000.00	-33,319.95	-9,329.00	0.00	-96,680.05	
	TOTAL EXPENSES	138,966.00	138,966.00	43,058.49	8,019.31	0.00	95,907.51	
4107262 GOLF FOOD & BEVERAGE								
4107262 34716	FOOD AND BEVERAGE	-445,000.00	-445,000.00	-111,065.96	-22,144.22	0.00	-333,934.04	25.0%
4107262 34718	FACILITY RENTAL	-20,000.00	-20,000.00	-2,384.86	-469.32	0.00	-17,615.14	11.9%
4107262 51200	SALARIES	61,634.00	61,634.00	19,117.99	4,741.09	0.00	42,516.01	31.0%
4107262 51350	PART TIME SALARIES	97,588.00	97,588.00	20,678.60	4,222.80	0.00	76,909.40	21.2%
4107262 51400	OVERTIME	0.00	0.00	1,120.78	321.75	0.00	-1,120.78	100.0%
4107262 52100	FICA	12,180.00	12,180.00	3,021.33	679.57	0.00	9,158.67	24.8%
4107262 52200	RETIREMENT	13,313.00	13,313.00	4,129.51	1,024.08	0.00	9,183.49	31.0%
4107262 52300	HEALTH INSUR	13,005.00	13,005.00	4,338.03	1,084.50	0.00	8,666.97	33.4%
4107262 52301	LIFE INSUR	508.00	508.00	76.48	19.84	0.00	431.52	15.1%
4107262 52400	WORKERS' COMP	2,430.00	2,430.00	806.00	203.00	0.00	1,624.00	33.2%
4107262 53400	CONTRACTUAL	4,285.00	4,285.00	1,451.24	362.81	0.00	2,833.76	33.9%
4107262 54400	RENTALS/LEASES	2,640.00	2,640.00	940.00	250.00	0.00	1,700.00	35.6%
4107262 54620	R/M EQUIPMENT	4,450.00	4,450.00	0.00	0.00	0.00	4,450.00	.0%
4107262 55200	OPERATING SUPPLIES	10,000.00	10,000.00	10,354.97	2,390.40	0.00	-354.97	103.5%
4107262 55210	UNIFORMS	300.00	300.00	0.00	0.00	0.00	300.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

4107262 GOLF FOOD & BEVERAGE	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
4107262 55550							
	160,000.00	F&B COST OF SALES 160,000.00	40,186.11	11,179.70	0.00	119,813.89	25.1%
TOTAL GOLF FOOD & BEVERAGE	-82,667.00	-82,667.00	-7,229.78	3,866.00	0.00	-75,437.22	8.7%
TOTAL REVENUES	-465,000.00	-465,000.00	-113,450.82	-22,613.54	0.00	-351,549.18	
TOTAL EXPENSES	382,333.00	382,333.00	106,221.04	26,479.54	0.00	276,111.96	
GRAND TOTAL	0.00	0.00	-1,439,858.52	20,656.66	31,100.00	1,408,758.52	100.0%

** END OF REPORT - Generated by Ashley Butler **

City of Fernandina Beach
Total Golf Course Fund
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	410	34710	GREEN FEES	(590,000.00)	(189,327.71)	(53,169.90)	(400,672.29)
		34713	GOLF CARTS	(370,000.00)	(103,845.82)	(29,389.69)	(266,154.18)
		34714	RANGE FEES	(72,000.00)	(19,308.48)	(6,554.39)	(52,691.52)
		34718	FACILITY RENTAL	(33,730.00)	0.00	0.00	(33,730.00)
		34733	MEMBERSHIPS	(220,000.00)	(156,375.00)	(5,050.00)	(63,625.00)
		36110	INTEREST	0.00	(153.22)	(28.29)	153.22
		36990	OTHER REVENUE	0.00	19.35	15.90	(19.35)
		36992	GAIN ON SALE OF ASSET	0.00	(11,955.00)	(8,805.00)	11,955.00
		38101	FROM GENERAL FUND	(135,000.00)	(45,000.00)	(11,250.00)	(90,000.00)
		38145	FROM WASTEWATER	(1,360,208.00)	(1,360,208.00)	0.00	0.00
		51200	SALARIES	376,129.00	113,364.61	28,536.70	262,764.39
		51350	PART-TIME	211,002.00	75,127.91	17,880.60	135,874.09
		51400	OVERTIME	10,000.00	7,681.95	3,508.42	2,318.05
		52100	FICA	44,871.00	14,932.06	3,768.51	29,938.94
		52200	RETIREMENT	72,650.00	25,102.95	6,281.37	47,547.05
		52300	HEALTH INSUR	33,717.00	12,058.86	2,441.52	21,658.14
		52301	LIFE INSUR	1,698.00	428.37	107.25	1,269.63
		52350	OPEB COSTS	794.00	266.00	66.00	528.00
		52400	WORKERS' COMP	4,969.00	1,657.00	414.00	3,312.00
		53100	PROFESSIONAL SERVICES	2,000.00	672.10	100.00	1,327.90
		53200	AUDITING	7,371.00	2,459.00	614.00	4,912.00
		53400	CONTRACTUAL	15,530.00	7,220.21	2,414.05	8,309.79
		54000	TRAINING/TRAVEL	1,160.00	148.93	48.79	1,011.07
		54100	COMM - PHONE/FAX/ALARM	2,340.00	216.42	72.21	2,123.58
		54101	COMMUNICATIONS-CELLULAR	600.00	175.00	25.00	425.00
		54103	COMMUNICATIONS-INTERNET	5,835.00	1,271.80	318.16	4,563.20
		54200	POSTAGE	100.00	0.00	0.00	100.00
		54300	UTILITIES ELECTRIC	60,000.00	14,184.09	4,490.18	45,815.91
		54310	UTILITIES-WATER & WASTEWATER	10,200.00	3,786.93	929.53	6,413.07
		54500	INSURANCE	31,251.00	10,419.00	2,604.00	20,832.00
		54610	R/M BLDG & GROUNDS	10,000.00	0.00	0.00	10,000.00
		54611	R/M FACILITIES	15,000.00	7,526.44	3,876.27	7,473.56
		54620	R/M EQUIPMENT	60,000.00	5,978.63	4,476.53	54,021.37
		54630	R/M VEHICLES-LABOR	500.00	735.00	660.00	(235.00)
		54640	R/M VEHICLES-PARTS	500.00	281.43	276.43	218.57
		54800	PROMOTIONAL	13,400.00	6,863.56	1,203.96	6,536.44
		55100	OFFICE SUPPLIES	1,000.00	331.28	126.86	668.72
		55200	OPERATING SUPPLIES	175,029.00	64,065.85	16,625.60	110,963.15
		55210	UNIFORMS	3,000.00	1,400.00	0.00	1,600.00
		55220	JANITORIAL SUPPLIES	500.00	538.88	0.00	(38.88)
		55230	GAS/OIL	50,000.00	9,742.69	2,268.95	40,257.31
		55400	BOOKS/SUBS/DUES	10,600.00	405.00	150.00	10,195.00
		56300	IMPROVEMENTS	160,000.00	0.00	0.00	141,960.00
		56400	MACH/EQUIP	60,000.00	44,516.13	23,497.08	2,423.87
		56401	EQUIP-NON CAPITAL	600.00	1,688.00	0.00	(1,088.00)
		59990	RESERVE	31.00	0.00	0.00	31.00
	410 Total			(1,328,561.00)	(1,450,907.80)	13,550.60	91,246.80
	4107260	34716	TT FOOD & BEVERAGE	(20,000.00)	(3,640.98)	(732.26)	(16,359.02)
		34717	BAY RENTALS	(100,000.00)	(16,867.50)	(4,105.00)	(83,132.50)
		34790	TOPTRACER BAY SPONSORSHIP	(35,000.00)	(3,666.52)	(916.63)	(31,333.48)
		51350	PART TIME SALARIES	70,980.00	16,858.75	4,075.50	54,121.25
		51400	OVERTIME	0.00	1,378.60	668.26	(1,378.60)

City of Fernandina Beach
Total Golf Course Fund
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	4107260	52100	FICA	5,430.00	1,395.14	362.89	4,034.86
		52400	WORKERS' COMP	1,967.00	655.00	164.00	1,312.00
		54103	COMMUNICATIONS-INTERNET	3,500.00	3,096.04	860.01	403.96
		54400	RENTALS/LEASES	30,000.00	8,000.00	4,000.00	22,000.00
		54611	R/M FACILITIES	10,000.00	0.00	0.00	10,000.00
		54800	PROMOTIONAL	2,500.00	450.00	0.00	2,050.00
		55200	OPERATING SUPPLIES	7,500.00	3.88	0.00	7,496.12
		55550	F&B COST OF SALES	8,000.00	878.11	172.98	7,121.89
	4107260 Total			(15,123.00)	8,540.52	4,549.75	(23,663.52)
	4107261	34715	PRO SHOP SALES	(100,000.00)	(29,825.28)	(5,834.33)	(70,174.72)
		34719	GOLF INSTRUCTION	(30,000.00)	(3,494.67)	(3,494.67)	(26,505.33)
		51200	SALARIES	0.00	4,571.55	0.00	(4,571.55)
		51350	PART TIME SALARIES	49,608.00	13,258.44	3,829.65	36,349.56
		51400	OVERTIME	0.00	1,762.22	863.78	(1,762.22)
		52100	FICA	3,795.00	1,498.80	359.04	2,296.20
		52200	RETIREMENT	0.00	987.46	0.00	(987.46)
		52300	HEALTH INSUR	0.00	1,528.52	0.00	(1,528.52)
		52301	LIFE INSUR	0.00	25.60	0.00	(25.60)
		52400	WORKERS' COMP	1,563.00	523.00	130.00	1,040.00
		54970	PROGRAM COSTS	24,000.00	0.00	0.00	24,000.00
		55545	PRO SHOP COST OF SALES	60,000.00	18,902.90	2,836.84	41,097.10
	4107261 Total			8,966.00	9,738.54	(1,309.69)	(772.54)
	4107262	34716	FOOD AND BEVERAGE	(445,000.00)	(111,065.96)	(22,144.22)	(333,934.04)
		34718	FACILITY RENTAL	(20,000.00)	(2,384.86)	(469.32)	(17,615.14)
		51200	SALARIES	61,634.00	19,117.99	4,741.09	42,516.01
		51350	PART TIME SALARIES	97,588.00	20,678.60	4,222.80	76,909.40
		51400	OVERTIME	0.00	1,120.78	321.75	(1,120.78)
		52100	FICA	12,180.00	3,021.33	679.57	9,158.67
		52200	RETIREMENT	13,313.00	4,129.51	1,024.08	9,183.49
		52300	HEALTH INSUR	13,005.00	4,338.03	1,084.50	8,666.97
		52301	LIFE INSUR	508.00	76.48	19.84	431.52
		52400	WORKERS' COMP	2,430.00	806.00	203.00	1,624.00
		53400	CONTRACTUAL	4,285.00	1,451.24	362.81	2,833.76
		54400	RENTALS/LEASES	2,640.00	940.00	250.00	1,700.00
		54620	R/M EQUIPMENT	4,450.00	0.00	0.00	4,450.00
		55200	OPERATING SUPPLIES	10,000.00	10,354.97	2,390.40	(354.97)
		55210	UNIFORMS	300.00	0.00	0.00	300.00
		55550	F&B COST OF SALES	160,000.00	40,186.11	11,179.70	119,813.89
	4107262 Total			(82,667.00)	(7,229.78)	3,866.00	(75,437.22)
410 Total				(1,417,385.00)	(1,439,858.52)	20,656.66	(8,626.48)
Grand Total				(1,417,385.00)	(1,439,858.52)	20,656.66	(8,626.48)

City of Fernandina Beach
Golf Course - Operations
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	410	34710	GREEN FEES	(590,000.00)	(189,327.71)	(53,169.90)	(400,672.29)
		34713	GOLF CARTS	(370,000.00)	(103,845.82)	(29,389.69)	(266,154.18)
		34714	RANGE FEES	(72,000.00)	(19,308.48)	(6,554.39)	(52,691.52)
		34718	FACILITY RENTAL	(33,730.00)	0.00	0.00	(33,730.00)
		34733	MEMBERSHIPS	(220,000.00)	(156,375.00)	(5,050.00)	(63,625.00)
		36990	OTHER REVENUE	0.00	19.35	15.90	(19.35)
		36992	GAIN ON SALE OF ASSET	0.00	(11,955.00)	(8,805.00)	11,955.00
		38101	FROM GENERAL FUND	(135,000.00)	(45,000.00)	(11,250.00)	(90,000.00)
		38145	FROM WASTEWATER	(1,360,208.00)	(1,360,208.00)	0.00	0.00
		51200	SALARIES	376,129.00	113,364.61	28,536.70	262,764.39
		51350	PART-TIME	211,002.00	75,127.91	17,880.60	135,874.09
		51400	OVERTIME	10,000.00	7,681.95	3,508.42	2,318.05
		52100	FICA	44,871.00	14,932.06	3,768.51	29,938.94
		52200	RETIREMENT	72,650.00	25,102.95	6,281.37	47,547.05
		52300	HEALTH INSUR	33,717.00	12,058.86	2,441.52	21,658.14
		52301	LIFE INSUR	1,698.00	428.37	107.25	1,269.63
		52350	OPEB COSTS	794.00	266.00	66.00	528.00
		52400	WORKERS' COMP	4,969.00	1,657.00	414.00	3,312.00
		53100	PROFESSIONAL SERVICES	2,000.00	672.10	100.00	1,327.90
		53200	AUDITING	7,371.00	2,459.00	614.00	4,912.00
		53400	CONTRACTUAL	15,530.00	7,220.21	2,414.05	8,309.79
		54000	TRAINING/TRAVEL	1,160.00	148.93	48.79	1,011.07
		54100	COMM - PHONE/FAX/ALARM	2,340.00	216.42	72.21	2,123.58
		54101	COMMUNICATIONS-CELLULAR	600.00	175.00	25.00	425.00
		54103	COMMUNICATIONS-INTERNET	5,835.00	1,271.80	318.16	4,563.20
		54200	POSTAGE	100.00	0.00	0.00	100.00
		54300	UTILITIES ELECTRIC	60,000.00	14,184.09	4,490.18	45,815.91
		54310	UTILITIES-WATER & WASTEWATER	10,200.00	3,786.93	929.53	6,413.07
		54500	INSURANCE	31,251.00	10,419.00	2,604.00	20,832.00
		54610	R/M BLDG & GROUNDS	10,000.00	0.00	0.00	10,000.00
		54611	R/M FACILITIES	15,000.00	7,526.44	3,876.27	7,473.56
		54620	R/M EQUIPMENT	60,000.00	5,978.63	4,476.53	54,021.37
		54630	R/M VEHICLES-LABOR	500.00	735.00	660.00	(235.00)
		54640	R/M VEHICLES-PARTS	500.00	281.43	276.43	218.57
		54800	PROMOTIONAL	13,400.00	6,863.56	1,203.96	6,536.44
		55100	OFFICE SUPPLIES	1,000.00	331.28	126.86	668.72
		55200	OPERATING SUPPLIES	175,029.00	64,065.85	16,625.60	110,963.15
		55210	UNIFORMS	3,000.00	1,400.00	0.00	1,600.00
		55220	JANITORIAL SUPPLIES	500.00	538.88	0.00	(38.88)
		55230	GAS/OIL	50,000.00	9,742.69	2,268.95	40,257.31
		55400	BOOKS/SUBS/DUES	10,600.00	405.00	150.00	10,195.00
		56300	IMPROVEMENTS	160,000.00	0.00	0.00	141,960.00
		56400	MACH/EQUIP	60,000.00	44,516.13	23,497.08	2,423.87
		56401	EQUIP-NON CAPITAL	600.00	1,688.00	0.00	(1,088.00)
	410 Total			(1,328,592.00)	(1,450,754.58)	13,578.89	91,062.58
410 Total				(1,328,592.00)	(1,450,754.58)	13,578.89	91,062.58
Grand Total				(1,328,592.00)	(1,450,754.58)	13,578.89	91,062.58

City of Fernandina Beach
Golf Course - Toptracer
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	4107260	34716	TT FOOD & BEVERAGE	(20,000.00)	(3,640.98)	(732.26)	(16,359.02)
		34717	BAY RENTALS	(100,000.00)	(16,867.50)	(4,105.00)	(83,132.50)
		34790	TOPTRACER BAY SPONSORSHIP	(35,000.00)	(3,666.52)	(916.63)	(31,333.48)
		51350	PART TIME SALARIES	70,980.00	16,858.75	4,075.50	54,121.25
		51400	OVERTIME	0.00	1,378.60	668.26	(1,378.60)
		52100	FICA	5,430.00	1,395.14	362.89	4,034.86
		52400	WORKERS' COMP	1,967.00	655.00	164.00	1,312.00
		54103	COMMUNICATIONS-INTERNET	3,500.00	3,096.04	860.01	403.96
		54400	RENTALS/LEASES	30,000.00	8,000.00	4,000.00	22,000.00
		54611	R/M FACILITIES	10,000.00	0.00	0.00	10,000.00
		54800	PROMOTIONAL	2,500.00	450.00	0.00	2,050.00
		55200	OPERATING SUPPLIES	7,500.00	3.88	0.00	7,496.12
		55550	F&B COST OF SALES	8,000.00	878.11	172.98	7,121.89
	4107260 Total			(15,123.00)	8,540.52	4,549.75	(23,663.52)
410 Total				(15,123.00)	8,540.52	4,549.75	(23,663.52)
Grand Total				(15,123.00)	8,540.52	4,549.75	(23,663.52)

	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL
Bay Rentals	100,000.00	16,867.50	4,105.00
Rental/ Leases	10,000.00	8,000.00	4,000.00
Gross Profit/(Loss)	90,000.00	8,867.50	105.00
Gross Profit %	0%	110.84%	2.63%
TT Food and Beverage	20,000.00	3,640.98	732.26
Food and Beverage Cost of Sales	8,000.00	878.11	172.98
Gross Profit/(Loss)	12,000.00	2,762.87	559.28
Gross Profit %	150.00%	314.64%	323.32%

City of Fernandina Beach
Golf Course -Proshop
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	4107261	34715	PRO SHOP SALES	(100,000.00)	(29,825.28)	(5,834.33)	(70,174.72)
		34719	GOLF INSTRUCTION	(30,000.00)	(3,494.67)	(3,494.67)	(26,505.33)
		51200	SALARIES	0.00	4,571.55	0.00	(4,571.55)
		51350	PART TIME SALARIES	49,608.00	13,258.44	3,829.65	36,349.56
		51400	OVERTIME	0.00	1,762.22	863.78	(1,762.22)
		52100	FICA	3,795.00	1,498.80	359.04	2,296.20
		52200	RETIREMENT	0.00	987.46	0.00	(987.46)
		52300	HEALTH INSUR	0.00	1,528.52	0.00	(1,528.52)
		52301	LIFE INSUR	0.00	25.60	0.00	(25.60)
		52400	WORKERS' COMP	1,563.00	523.00	130.00	1,040.00
		55545	PRO SHOP COST OF SALES	60,000.00	18,902.90	2,836.84	41,097.10
	4107261 Total			(15,034.00)	9,738.54	(1,309.69)	(24,772.54)
410 Total				(15,034.00)	9,738.54	(1,309.69)	(24,772.54)
Grand Total				(15,034.00)	9,738.54	(1,309.69)	(24,772.54)

	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL
Pro Shop Sales	130,000.00	33,319.95	9,329.00
Pro Shop Cost of Sales	114,966.00	43,058.49	8,019.31
Gross Profit/(Loss)	15,034.00	(9,738.54)	1,309.69
Gross Profit %	13.08%	-22.62%	16.33%

City of Fernandina Beach
Golf Course - Food and Beverage
Year to Date to January

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL	REMAINING BUDGET
410	4107262	34716	FOOD AND BEVERAGE	(445,000.00)	(111,065.96)	(22,144.22)	(333,934.04)
		34718	FACILITY RENTAL	(20,000.00)	(2,384.86)	(469.32)	(17,615.14)
		51200	SALARIES	61,634.00	19,117.99	4,741.09	42,516.01
		51350	PART TIME SALARIES	97,588.00	20,678.60	4,222.80	76,909.40
		51400	OVERTIME	0.00	1,120.78	321.75	(1,120.78)
		52100	FICA	12,180.00	3,021.33	679.57	9,158.67
		52200	RETIREMENT	13,313.00	4,129.51	1,024.08	9,183.49
		52300	HEALTH INSUR	13,005.00	4,338.03	1,084.50	8,666.97
		52301	LIFE INSUR	508.00	76.48	19.84	431.52
		52400	WORKERS' COMP	2,430.00	806.00	203.00	1,624.00
		53400	CONTRACTUAL	4,285.00	1,451.24	362.81	2,833.76
		54400	RENTALS/LEASES	2,640.00	940.00	250.00	1,700.00
		54620	R/M EQUIPMENT	4,450.00	0.00	0.00	4,450.00
		55200	OPERATING SUPPLIES	10,000.00	10,354.97	2,390.40	(354.97)
		55210	UNIFORMS	300.00	0.00	0.00	300.00
		55550	F&B COST OF SALES	160,000.00	40,186.11	11,179.70	119,813.89
	4107262 Total			(82,667.00)	(7,229.78)	3,866.00	(75,437.22)
410 Total				(82,667.00)	(7,229.78)	3,866.00	(75,437.22)
Grand Total				(82,667.00)	(7,229.78)	3,866.00	(75,437.22)

	TOTAL REVISED BUDGET	TOTAL YTD ACTUAL	TOTAL MTD ACTUAL
Food and Beverage	465,000.00	113,450.82	22,613.54
Cost of Food and Beverage	382,333.00	106,221.04	26,479.54
Gross Profit/(Loss)	82,667.00	7,229.78	(3,866.00)
Gross Profit %	21.62%	6.81%	-14.60%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
420 AIRPORT							
420 33220		FAA GRANT					
	-1,590,741.00	-1,590,741.00	-916,394.68	-59,207.40	0.00	-674,346.32	57.6%
420 33323		FDOT GRANT					
	-729,584.00	-729,584.00	-480,778.23	-298,929.01	0.00	-248,805.77	65.9%
420 34704		RENTALS NON-TAXABLE					
	0.00	0.00	-840.00	0.00	0.00	840.00	100.0%
420 34720		RENTALS					
	0.00	0.00	-810.40	-240.00	0.00	810.40	100.0%
420 34970		FUEL FLOW FEES					
	-28,000.00	-28,000.00	-10,818.56	-1,935.44	0.00	-17,181.44	38.6%
420 34971		LEASE PAYMENTS-LAND LEASE					
	-67,645.00	-67,645.00	-20,518.68	-5,129.67	0.00	-47,126.32	30.3%
420 34972		BUILDING LEASE					
	0.00	0.00	-1,812.12	-453.03	0.00	1,812.12	100.0%
420 34973		LAND LEASE- AMELIA RIVER					
	-212,688.00	-212,688.00	-75,230.75	-19,118.64	0.00	-137,457.25	35.4%
420 34974		LAND LEASE PAYMENTS-NON TAXABLE					
	-73,864.00	-73,864.00	-24,408.10	-6,172.96	0.00	-49,455.90	33.0%
420 34975		RENT/LEASE PAYMENTS					
	-379,233.00	-379,233.00	-127,986.83	-31,853.45	0.00	-251,246.17	33.7%
420 34976		8 FLAGS RENT (TAXABLE)					
	-66,233.00	-66,233.00	-35,597.32	-8,899.33	0.00	-30,635.68	53.7%
420 34978		8 FLAGS RENT NON-TAXABLE					
	-58,877.00	-58,877.00	-1,216.40	-304.10	0.00	-57,660.60	2.1%
420 34979		TRANSIENT REVENUE					
	0.00	0.00	-6,731.83	-1,484.61	0.00	6,731.83	100.0%
420 36110		INTEREST					
	0.00	0.00	-12,348.87	-3,005.09	0.00	12,348.87	100.0%
420 36990		OTHER REVENUE					
	-66,000.00	-66,000.00	-15,394.52	-3,480.00	0.00	-50,605.48	23.3%
420 36991		AIRCRAFT PARKING REVENUE					
	-4,000.00	-4,000.00	-3,883.00	0.00	0.00	-117.00	97.1%
420 36992		GAIN ON SALE OF ASSET					
	-20,000.00	-20,000.00	0.00	0.00	0.00	-20,000.00	.0%
420 36995		LATE FEES					
	0.00	0.00	-642.55	-94.55	0.00	642.55	100.0%
420 38101		FROM GENERAL FUND					
	-297,420.00	-297,420.00	-99,140.00	-24,785.00	0.00	-198,280.00	33.3%
420 38910		CASH BALANCE FORWARD					
	-3,548,569.00	-3,548,569.00	0.00	0.00	0.00	-3,548,569.00	.0%



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
420 51200		SALARIES					
	155,188.00	155,188.00	48,337.66	12,137.26	0.00	106,850.34	31.1%
420 51350		PART-TIME					
	18,234.00	18,234.00	6,091.57	1,275.12	0.00	12,142.43	33.4%
420 52100		FICA					
	13,266.00	13,266.00	3,924.28	957.97	0.00	9,341.72	29.6%
420 52200		RETIREMENT					
	33,520.00	33,520.00	10,440.92	2,621.65	0.00	23,079.08	31.1%
420 52300		HEALTH INSUR					
	29,547.00	29,547.00	9,505.48	2,347.62	0.00	20,041.52	32.2%
420 52301		LIFE INSUR					
	849.00	849.00	196.80	51.52	0.00	652.20	23.2%
420 52350		OPEB COSTS					
	1,756.00	1,756.00	588.00	146.00	0.00	1,168.00	33.5%
420 52400		WORKERS' COMP					
	2,689.00	2,689.00	897.00	224.00	0.00	1,792.00	33.4%
420 53100		PROFESSIONAL SERVICES					
	25,000.00	25,000.00	6,604.25	4,000.00	2,250.00	16,145.75	35.4%
420 53200		AUDITING					
	7,371.00	7,371.00	2,459.00	614.00	0.00	4,912.00	33.4%
420 53400		CONTRACTUAL					
	43,735.00	43,735.00	16,139.31	3,914.38	0.00	27,595.69	36.9%
420 54000		TRAINING/TRAVEL					
	3,210.00	3,210.00	0.00	0.00	0.00	3,210.00	.0%
420 54100		COMM - PHONE/FAX/ALARM					
	2,988.00	2,988.00	649.26	216.63	0.00	2,338.74	21.7%
420 54101		COMMUNICATIONS-CELLULAR					
	2,000.00	2,000.00	406.96	101.74	0.00	1,593.04	20.3%
420 54103		COMMUNICATIONS-INTERNET					
	5,922.00	5,922.00	742.00	185.50	0.00	5,180.00	12.5%
420 54200		POSTAGE					
	100.00	100.00	0.00	0.00	0.00	100.00	.0%
420 54300		UTILITIES ELECTRIC					
	27,000.00	27,000.00	5,038.36	2,134.08	0.00	21,961.64	18.7%
420 54310		UTILITIES-WATER & WASTEWATER					
	12,200.00	12,200.00	2,496.58	863.63	0.00	9,703.42	20.5%
420 54500		INSURANCE					
	87,791.00	87,791.00	29,255.00	7,317.00	0.00	58,536.00	33.3%
420 54610		R/M BLDG & GROUNDS					
	129,000.00	129,000.00	28,876.59	3,399.02	22,570.00	77,553.41	39.9%
420 54611		R/M FACILITIES					
	40,500.00	40,500.00	3,664.34	378.75	0.00	36,835.66	9.0%
420 54620		R/M EQUIPMENT					
	3,000.00	3,000.00	603.61	0.00	0.00	2,396.39	20.1%



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
420 54630		R/M VEHICLES-LABOR					
	6,000.00	6,000.00	675.00	390.00	0.00	5,325.00	11.3%
420 54640		R/M VEHICLES-PARTS					
	7,500.00	7,500.00	711.77	468.91	0.00	6,788.23	9.5%
420 54700		PRINTING					
	650.00	650.00	0.00	0.00	0.00	650.00	.0%
420 54800		PROMOTIONAL					
	750.00	750.00	130.59	0.00	0.00	619.41	17.4%
420 54910		BILLING COSTS					
	7,300.00	7,300.00	2,436.00	608.00	0.00	4,864.00	33.4%
420 55100		OFFICE SUPPLIES					
	2,300.00	2,300.00	0.00	0.00	0.00	2,300.00	.0%
420 55200		OPERATING SUPPLIES					
	2,180.00	2,180.00	54.82	0.00	0.00	2,125.18	2.5%
420 55210		UNIFORMS					
	400.00	400.00	0.00	0.00	0.00	400.00	.0%
420 55230		GAS/OIL					
	15,000.00	15,000.00	1,799.71	378.23	0.00	13,200.29	12.0%
420 55400		BOOKS/SUBS/DUES					
	525.00	525.00	330.00	0.00	0.00	195.00	62.9%
420 56200 19051		BUILDING					
	3,262,250.00	3,262,250.00	466,249.53	301,324.24	2,619,631.89	176,368.58	94.6%
420 56300		IMPROVEMENTS					
	0.00	0.00	0.00	0.00	-3,139,090.67	3,139,090.67	100.0%
420 56300 21035		IMPROVEMENTS					
	0.00	1,592,490.00	1,018,216.31	65,786.00	457,576.69	116,697.00	92.7%
420 56300 23002		IMPROVEMENTS					
	1,592,490.00	0.00	0.00	0.00	0.00	0.00	.0%
420 56300 23029		IMPROVEMENTS					
	175,000.00	175,000.00	0.00	0.00	0.00	175,000.00	.0%
420 56300 23030		IMPROVEMENTS					
	25,000.00	25,000.00	0.00	0.00	0.00	25,000.00	.0%
420 56300 23031		IMPROVEMENTS					
	140,000.00	140,000.00	0.00	0.00	0.00	140,000.00	.0%
420 56300 23032		IMPROVEMENTS					
	45,000.00	45,000.00	0.00	0.00	0.00	45,000.00	.0%
420 56400		MACH/EQUIP					
	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	.0%
420 56401		EQUIP-NON CAPITAL					
	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	.0%
420 57100		PRINCIPAL					
	293,733.00	293,733.00	0.00	0.00	0.00	293,733.00	.0%
420 57200		INTEREST					
	118,212.00	118,212.00	0.00	0.00	0.00	118,212.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
420 59990							
	652,698.00	652,698.00	0.00	0.00	0.00	652,698.00	.0%
	RESERVE						
TOTAL AIRPORT	0.00	0.00	-167,032.14	-53,251.03	-37,062.09	204,094.23	100.0%
	TOTAL REVENUES						
	-7,142,854.00	-7,142,854.00	-1,834,552.84	-465,092.28	0.00	-5,308,301.16	
	TOTAL EXPENSES						
	7,142,854.00	7,142,854.00	1,667,520.70	411,841.25	-37,062.09	5,512,395.39	
	GRAND TOTAL						
	0.00	0.00	-167,032.14	-53,251.03	-37,062.09	204,094.23	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
440 SANITATION							
440 34340		GARBAGE FEES					
	-2,835,736.00	-2,835,736.00	-1,005,211.03	-250,243.43	0.00	-1,830,524.97	35.4%
440 34341		GARBAGE FEES - CITY OF FB					
	-400,800.00	-400,800.00	-143,615.67	-35,928.53	0.00	-257,184.33	35.8%
440 36110		INTEREST					
	0.00	0.00	-1,753.57	-456.10	0.00	1,753.57	100.0%
440 36990		OTHER REVENUE					
	-104,000.00	-104,000.00	-26,003.31	-2,265.77	0.00	-77,996.69	25.0%
440 38101		FROM GENERAL FUND					
	-40,000.00	-40,000.00	-13,336.00	-3,333.00	0.00	-26,664.00	33.3%
440 38910		CASH BALANCE FORWARD					
	-119,389.00	-119,389.00	0.00	0.00	0.00	-119,389.00	.0%
440 51200		SALARIES					
	116,769.00	116,769.00	36,321.40	8,963.20	0.00	80,447.60	31.1%
440 51400		OVERTIME					
	15,000.00	15,000.00	2,477.17	597.76	0.00	12,522.83	16.5%
440 52100		FICA					
	10,081.00	10,081.00	3,034.55	725.84	0.00	7,046.45	30.1%
440 52200		RETIREMENT					
	28,462.00	28,462.00	8,623.49	2,065.17	0.00	19,838.51	30.3%
440 52300		HEALTH INSUR					
	14,424.00	14,424.00	7,754.66	1,910.66	0.00	6,669.34	53.8%
440 52301		LIFE INSUR					
	379.00	379.00	149.40	37.60	0.00	229.60	39.4%
440 52400		WORKERS' COMP					
	3,821.00	3,821.00	1,277.00	318.00	0.00	2,544.00	33.4%
440 53200		AUDITING					
	7,371.00	7,371.00	2,459.00	614.00	0.00	4,912.00	33.4%
440 53400		CONTRACTUAL					
	280,912.00	280,912.00	28,258.90	7,748.86	0.00	252,653.10	10.1%
440 53440		SANITATION SERVICES EXPENSE					
	2,577,684.00	2,577,684.00	670,657.00	226,577.29	0.00	1,907,027.00	26.0%
440 54000		TRAINING/TRAVEL					
	5,500.00	5,500.00	0.00	0.00	0.00	5,500.00	.0%
440 54400		RENTALS/LEASES					
	5,000.00	5,000.00	2,842.80	0.00	0.00	2,157.20	56.9%
440 54440		LAND RENT					
	35,000.00	35,000.00	10,657.52	2,664.38	0.00	24,342.48	30.5%
440 54610		R/M BLDG & GROUNDS					
	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00	.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
440 54620		R/M EQUIPMENT					
	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00	.0%
440 54630		R/M VEHICLES-LABOR					
	10,000.00	10,000.00	1,680.00	285.00	0.00	8,320.00	16.8%
440 54640		R/M VEHICLES-PARTS					
	15,000.00	15,000.00	5,654.23	402.38	0.00	9,345.77	37.7%
440 54910		BILLING COSTS					
	92,000.00	92,000.00	30,664.00	7,667.00	0.00	61,336.00	33.3%
440 55100		OFFICE SUPPLIES					
	500.00	500.00	0.00	0.00	0.00	500.00	.0%
440 55200		OPERATING SUPPLIES					
	2,000.00	2,000.00	71.98	71.98	0.00	1,928.02	3.6%
440 55210		UNIFORMS					
	1,200.00	1,200.00	1,125.00	0.00	0.00	75.00	93.8%
440 55230		GAS/OIL					
	30,000.00	30,000.00	9,113.69	2,221.59	0.00	20,886.31	30.4%
440 55644		NON PROFIT KNB					
	5,000.00	5,000.00	597.21	597.21	0.00	4,402.79	11.9%
440 56400		MACH/EQUIP					
	165,000.00	189,999.00	189,999.00	0.00	0.00	0.00	100.0%
440 56401		NON CAP EQUIP					
	20,000.00	10,000.00	0.00	0.00	0.00	10,000.00	.0%
440 59990		RESERVE					
	48,822.00	33,823.00	0.00	0.00	0.00	33,823.00	.0%
TOTAL SANITATION	0.00	0.00	-176,501.58	-28,758.91	0.00	176,501.58	100.0%
TOTAL REVENUES	-3,499,925.00	-3,499,925.00	-1,189,919.58	-292,226.83	0.00	-2,310,005.42	
TOTAL EXPENSES	3,499,925.00	3,499,925.00	1,013,418.00	263,467.92	0.00	2,486,507.00	
GRAND TOTAL	0.00	0.00	-176,501.58	-28,758.91	0.00	176,501.58	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
450 WASTEWATER			LY \$1,867,531.90				
450 34345		WASTEWATER CHARGES					
	-5,835,000.00	-5,835,000.00	-1,974,792.67	-494,829.34	0.00	-3,860,207.33	33.8%
450 34530		SEPTIC DUMPING					
	-50,000.00	-50,000.00	-19,209.60	-4,968.00	0.00	-30,790.40	38.4%
450 34535		WASTEWATER TAP FEES					
	-31,250.00	-31,250.00	-26,375.00	-9,000.00	0.00	-4,875.00	84.4%
450 34910		WASTEWATER MISCELLANEOUS FEES					
	-5,000.00	-5,000.00	-30,493.68	-7,118.42	0.00	25,493.68	609.9%
450 36110		INTEREST					
	-90,000.00	-90,000.00	-32,535.45	-11,197.39	0.00	-57,464.55	36.2%
450 36120		UNREALIZED GAIN					
	0.00	0.00	-1,067.22	-148.76	0.00	1,067.22	100.0%
450 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-7,135.68	-13,400.00	0.00	7,135.68	100.0%
450 38910		CASH BALANCE FORWARD					
	-6,157,870.00	-6,157,870.00	0.00	0.00	0.00	-6,157,870.00	.0%
450 51200		SALARIES					
	800,012.00	800,012.00	238,257.55	59,960.81	0.00	561,754.45	29.8%
450 51210		WC REIMB					
	0.00	0.00	-880.54	0.00	0.00	880.54	100.0%
450 51350		PART-TIME					
	34,318.00	34,318.00	11,397.09	3,126.11	0.00	22,920.91	33.2%
450 51400		OVERTIME					
	143,000.00	143,000.00	41,547.63	12,426.20	0.00	101,452.37	29.1%
450 52100		FICA					
	70,332.00	70,332.00	21,932.30	5,556.42	0.00	48,399.70	31.2%
450 52200		RETIREMENT					
	191,170.00	191,170.00	58,178.35	15,443.98	0.00	132,991.65	30.4%
450 52300		HEALTH INSUR					
	115,074.00	115,074.00	49,592.00	12,404.59	0.00	65,482.00	43.1%
450 52301		LIFE INSUR					
	2,983.00	2,983.00	963.48	251.68	0.00	2,019.52	32.3%
450 52350		OPEB COSTS					
	15,361.00	15,361.00	5,121.00	1,280.00	0.00	10,240.00	33.3%
450 52400		WORKERS' COMP					
	12,225.00	12,225.00	4,073.00	1,019.00	0.00	8,152.00	33.3%
450 53100		PROFESSIONAL SERVICES					
	225,000.00	225,000.00	14,485.00	0.00	-14,485.00	225,000.00	.0%
450 53200		AUDITING					
	15,561.00	15,561.00	5,185.00	1,297.00	0.00	10,376.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
450 53400		CONTRACTUAL					
	184,946.00	184,946.00	87,914.27	29,256.24	3,843.21	93,188.52	49.6%
450 54000		TRAINING/TRAVEL					
	32,575.00	32,575.00	4,394.33	4,397.33	-198.00	28,378.67	12.9%
450 54100		COMM - PHONE/FAX/ALARM					
	3,900.00	3,900.00	288.56	96.28	0.00	3,611.44	7.4%
450 54101		COMMUNICATIONS-CELLULAR					
	5,000.00	5,000.00	862.35	270.63	0.00	4,137.65	17.2%
450 54103		COMMUNICATIONS-INTERNET					
	1,800.00	1,800.00	1,438.73	376.22	0.00	361.27	79.9%
450 54200		POSTAGE					
	3,000.00	3,000.00	71.67	41.87	0.00	2,928.33	2.4%
450 54300		UTILITIES ELECTRIC					
	189,000.00	189,000.00	66,742.21	23,406.29	0.00	122,257.79	35.3%
450 54310		UTILITIES-WATER & WASTEWATER					
	35,000.00	35,000.00	3,572.93	1,937.28	0.00	31,427.07	10.2%
450 54320		UTILITIES-PROPANE/OTHER					
	7,800.00	7,800.00	0.00	0.00	0.00	7,800.00	.0%
450 54500		INSURANCE					
	32,009.00	32,009.00	10,665.00	2,668.00	0.00	21,344.00	33.3%
450 54610		R/M BLDG & GROUNDS					
	38,700.00	38,700.00	21,930.00	0.00	0.00	16,770.00	56.7%
450 54611		R/M FACILITIES					
	34,500.00	34,500.00	5,002.25	4,847.80	0.00	29,497.75	14.5%
450 54620		R/M EQUIPMENT					
	211,000.00	211,000.00	18,486.14	10,362.03	0.00	192,513.86	8.8%
450 54630		R/M VEHICLES-LABOR					
	20,000.00	20,000.00	2,370.00	607.50	0.00	17,630.00	11.9%
450 54640		R/M VEHICLES-PARTS					
	35,000.00	35,000.00	7,043.70	1,669.19	0.00	27,956.30	20.1%
450 54910		BILLING COSTS					
	200,000.00	200,000.00	66,664.00	16,667.00	0.00	133,336.00	33.3%
450 54920		UTILITY ADMIN COSTS					
	294,330.00	294,330.00	98,106.00	24,528.00	0.00	196,224.00	33.3%
450 55100		OFFICE SUPPLIES					
	1,100.00	1,100.00	280.50	40.32	0.00	819.50	25.5%
450 55200		OPERATING SUPPLIES					
	272,130.00	272,130.00	56,015.47	9,948.46	8,174.00	207,940.53	23.6%
450 55210		UNIFORMS					
	10,525.00	10,525.00	5,700.00	0.00	0.00	4,825.00	54.2%
450 55220		JANITORIAL SUPPLIES					
	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00	.0%
450 55230		GAS/OIL					
	32,000.00	32,000.00	8,710.96	2,566.85	0.00	23,289.04	27.2%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
450 55240		CHEMICALS					
	70,000.00	70,000.00	27,555.99	6,750.00	0.00	42,444.01	39.4%
450 55300		ROAD MATERIALS					
	8,000.00	8,000.00	1,604.80	0.00	0.00	6,395.20	20.1%
450 55400		BOOKS/SUBS/DUES					
	1,900.00	1,900.00	296.80	0.00	0.00	1,603.20	15.6%
450 56300		IMPROVEMENTS					
	700,000.00	396,000.00	77,858.00	39,299.40	-80,458.15	398,600.15	-.7%
450 56300 23014		IMPROVEMENTS					
	50,000.00	50,000.00	0.00	0.00	0.00	50,000.00	.0%
450 56300 23015		IMPROVEMENTS					
	100,000.00	104,000.00	38,150.00	0.00	63,957.96	1,892.04	98.2%
450 56300 23016		IMPROVEMENTS					
	200,000.00	200,000.00	0.00	0.00	155,843.05	44,156.95	77.9%
450 56300 23017		IMPROVEMENTS					
	50,000.00	100,000.00	0.00	0.00	100,000.00	0.00	100.0%
450 56300 23018		IMPROVEMENTS					
	50,000.00	50,000.00	0.00	0.00	0.00	50,000.00	.0%
450 56300 23035		IMPROVEMENTS					
	0.00	250,000.00	56,910.00	0.00	132,790.00	60,300.00	75.9%
450 56400		MACH/EQUIP					
	547,103.00	571,103.00	418,320.76	0.00	30,549.52	122,232.72	78.6%
450 56401		EQUIP-NON CAPITAL					
	23,500.00	23,500.00	0.00	0.00	0.00	23,500.00	.0%
450 59100		TRANSFER TO GENERAL FUND					
	360,000.00	360,000.00	120,000.00	30,000.00	0.00	240,000.00	33.3%
450 59230		TRANSFER TO UTIL ACQ DS					
	236,598.00	236,598.00	78,862.00	19,717.00	0.00	157,736.00	33.3%
450 59330		TRANSFER TO WW CAPITAL					
	500,000.00	500,000.00	166,664.00	41,667.00	0.00	333,336.00	33.3%
450 59410		TRANSFER TO GOLF					
	1,360,208.00	1,360,208.00	1,360,208.00	0.00	0.00	0.00	100.0%
450 59460		TRANSFER TO WATER FUND					
	600,000.00	600,000.00	200,000.00	50,000.00	0.00	400,000.00	33.3%
450 59480		TRANSFER TO MARINA					
	3,014,418.00	3,014,418.00	3,014,418.00	0.00	0.00	0.00	100.0%
450 59990		RESERVE					
	1,025,542.00	1,001,542.00	0.00	0.00	0.00	1,001,542.00	.0%
TOTAL WASTEWATER	0.00	0.00	4,385,349.98	-106,775.43	400,016.59	-4,785,366.57	100.0%
TOTAL REVENUES	-12,169,120.00	-12,169,120.00	-2,091,609.30	-540,661.91	0.00	-10,077,510.70	
TOTAL EXPENSES	12,169,120.00	12,169,120.00	6,476,959.28	433,886.48	400,016.59	5,292,144.13	
GRAND TOTAL	0.00	0.00	4,385,349.98	-106,775.43	400,016.59	-4,785,366.57	100.0%



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
460 WATER							
			LY \$1,420,373.40				
460 34346		WATER CHARGES					
	-4,555,000.00	-4,555,000.00	-1,547,167.79	-362,272.98	0.00	-3,007,832.21	34.0%
460 34610		WATER TAP CHARGES					
	-53,560.00	-53,560.00	-31,958.36	-9,020.84	0.00	-21,601.64	59.7%
460 34620		WATER METER INSTALLATION FEES					
	-37,801.00	-37,801.00	-10,968.03	-3,925.09	0.00	-26,832.97	29.0%
460 34621		WATER NONPAY RECONNECT FEE					
	-30,000.00	-30,000.00	-22,766.25	-4,598.75	0.00	-7,233.75	75.9%
460 34910		MISCELLANEOUS FEES					
	-10,712.00	-10,712.00	-3,180.00	-1,600.00	0.00	-7,532.00	29.7%
460 36110		INTEREST					
	-79,745.00	-79,745.00	-19,811.32	-6,195.34	0.00	-59,933.68	24.8%
460 36120		UNREALIZED GAIN					
	0.00	0.00	-1,099.57	-153.28	0.00	1,099.57	100.0%
460 36323		EXTENSION CHARGES					
	-24,720.00	-24,720.00	-3,366.68	-1,004.17	0.00	-21,353.32	13.6%
460 36992		GAIN ON SALE OF ASSET					
	0.00	0.00	-30,577.00	-1,500.00	0.00	30,577.00	100.0%
460 36995		LATE FEES					
	-16,322.00	-16,322.00	-7,884.86	-1,537.40	0.00	-8,437.14	48.3%
460 38145		FROM WASTEWATER					
	-600,000.00	-600,000.00	-200,000.00	-50,000.00	0.00	-400,000.00	33.3%
460 38910		CASH BALANCE FORWARD					
	-5,929,205.00	-5,929,205.00	0.00	0.00	0.00	-5,929,205.00	.0%
460 38912		RESERVE - R & R FUND					
	-200,000.00	-200,000.00	0.00	0.00	0.00	-200,000.00	.0%
460 51200		SALARIES					
	687,299.00	687,299.00	212,622.27	51,059.77	0.00	474,676.73	30.9%
460 51400		OVERTIME					
	150,000.00	150,000.00	43,442.03	11,853.73	0.00	106,557.97	29.0%
460 52100		FICA					
	64,053.00	64,053.00	19,220.17	4,587.48	0.00	44,832.83	30.0%
460 52200		RETIREMENT					
	180,857.00	180,857.00	50,554.99	12,977.87	0.00	130,302.01	28.0%
460 52300		HEALTH INSUR					
	168,303.00	168,303.00	47,282.08	11,813.99	0.00	121,020.92	28.1%
460 52301		LIFE INSUR					
	4,154.00	4,154.00	873.00	218.40	0.00	3,281.00	21.0%
460 52350		OPEB COSTS					
	14,483.00	14,483.00	4,827.00	1,207.00	0.00	9,656.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
460 52400		WORKERS' COMP					
	15,717.00	15,717.00	5,237.00	1,310.00	0.00	10,480.00	33.3%
460 53100		PROFESSIONAL SERVICES					
	193,000.00	193,000.00	4,044.00	0.00	2,300.00	186,656.00	3.3%
460 53200		AUDITING					
	10,647.00	10,647.00	3,551.00	887.00	0.00	7,096.00	33.4%
460 53400		CONTRACTUAL					
	104,870.00	104,870.00	18,662.94	1,667.45	19,622.49	66,584.57	36.5%
460 54000		TRAINING/TRAVEL					
	40,558.00	40,558.00	8,360.04	5,973.04	-198.00	32,395.96	20.1%
460 54100		COMM - PHONE/FAX/ALARM					
	2,500.00	2,500.00	371.95	124.10	0.00	2,128.05	14.9%
460 54101		COMMUNICATIONS-CELLULAR					
	10,000.00	10,000.00	1,689.07	968.23	0.00	8,310.93	16.9%
460 54103		COMMUNICATIONS-INTERNET					
	10,500.00	10,500.00	1,417.38	362.54	0.00	9,082.62	13.5%
460 54200		POSTAGE					
	1,825.00	1,825.00	0.00	0.00	0.00	1,825.00	.0%
460 54300		UTILITIES ELECTRIC					
	297,000.00	297,000.00	53,475.42	19,418.41	0.00	243,524.58	18.0%
460 54310		UTILITIES-WATER & WASTEWATER					
	1,000.00	1,000.00	159.28	61.80	0.00	840.72	15.9%
460 54320		UTILITIES-PROPANE/OTHER					
	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	.0%
460 54440		LAND RENT					
	25,000.00	25,000.00	6,416.52	1,604.13	0.00	18,583.48	25.7%
460 54500		INSURANCE					
	21,170.00	21,170.00	7,058.00	1,764.00	0.00	14,112.00	33.3%
460 54610		R/M BLDG & GROUNDS					
	98,000.00	98,000.00	12,903.23	1,919.70	21,160.00	63,936.77	34.8%
460 54611		R/M FACILITIES					
	44,500.00	44,500.00	80.16	41.64	0.00	44,419.84	.2%
460 54620		R/M EQUIPMENT					
	245,000.00	125,000.00	27,043.43	1,119.80	-14,325.00	112,281.57	10.2%
460 54630		R/M VEHICLES-LABOR					
	12,000.00	12,000.00	2,182.50	1,297.50	0.00	9,817.50	18.2%
460 54640		R/M VEHICLES-PARTS					
	25,000.00	25,000.00	6,752.29	1,317.27	0.00	18,247.71	27.0%
460 54800		PROMOTIONAL					
	10,000.00	10,000.00	200.00	0.00	0.00	9,800.00	2.0%
460 54910		BILLING COSTS					
	200,000.00	200,000.00	66,664.00	16,667.00	0.00	133,336.00	33.3%
460 54920		UTILITY ADMIN COSTS					
	294,330.00	294,330.00	98,106.00	24,528.00	0.00	196,224.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
460 55100		OFFICE SUPPLIES					
	2,500.00	2,500.00	457.82	170.68	0.00	2,042.18	18.3%
460 55200		OPERATING SUPPLIES					
	264,430.00	264,430.00	69,005.17	19,323.97	-7,850.00	203,274.83	23.1%
460 55210		UNIFORMS					
	11,100.00	11,100.00	5,700.00	0.00	0.00	5,400.00	51.4%
460 55220		JANITORIAL SUPPLIES					
	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	.0%
460 55230		GAS/OIL					
	52,000.00	52,000.00	13,057.04	3,386.99	0.00	38,942.96	25.1%
460 55240		CHEMICALS					
	36,000.00	36,000.00	29,400.00	0.00	0.00	6,600.00	81.7%
460 55300		ROAD MATERIALS					
	8,000.00	8,000.00	1,604.80	0.00	0.00	6,395.20	20.1%
460 55400		BOOKS/SUBS/DUES					
	6,140.00	6,140.00	296.80	0.00	0.00	5,843.20	4.8%
460 56200		BUILDING					
	50,000.00	50,000.00	0.00	0.00	0.00	50,000.00	.0%
460 56300		IMPROVEMENTS					
	1,350,000.00	1,200,000.00	2,590.00	0.00	-17,365.00	1,214,775.00	-1.2%
460 56300 23019		IMPROVEMENTS					
	20,000.00	20,000.00	20,000.00	0.00	0.00	0.00	100.0%
460 56300 23020		IMPROVEMENTS					
	380,000.00	380,000.00	346,304.00	0.00	61,938.94	-28,242.94	107.4%
460 56300 23021		IMPROVEMENTS					
	0.00	150,000.00	0.00	0.00	0.00	150,000.00	.0%
460 56300 23022		IMPROVEMENTS					
	135,000.00	135,000.00	0.00	0.00	134,836.10	163.90	99.9%
460 56300 23025		IMPROVEMENTS					
	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00	.0%
460 56300 23048		IMPROVEMENTS					
	0.00	60,000.00	0.00	0.00	59,913.00	87.00	99.9%
460 56300 23049		IMPROVEMENTS					
	0.00	60,000.00	0.00	0.00	59,913.00	87.00	99.9%
460 56400		MACH/EQUIP					
	265,857.00	265,857.00	132,780.98	7,424.25	-30,495.45	163,571.47	38.5%
460 56401		EQUIP-NON CAPITAL					
	34,500.00	34,500.00	2,353.36	2,353.36	0.00	32,146.64	6.8%
460 59100		TRANSFER TO GENERAL FUND					
	180,000.00	180,000.00	60,000.00	15,000.00	0.00	120,000.00	33.3%
460 59230		TRANSFER TO UTIL ACQ DS					
	1,991,895.00	1,991,895.00	663,967.00	165,991.00	0.00	1,327,928.00	33.3%
460 59910		CONTINGENCY R & R					
	200,000.00	200,000.00	0.00	0.00	0.00	200,000.00	.0%



FOR 2023 04

**** END OF REPORT - Generated by Ashley Butler ****



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
470 STORMWATER							
			LY \$300,544.00				
470 33400		STATE GRANT					
	-775,625.00	-775,625.00	0.00	0.00	0.00	-775,625.00	.0%
470 34347		WATER DRAINAGE FEES					
	-925,000.00	-925,000.00	-306,089.07	-78,191.18	0.00	-618,910.93	33.1%
470 38910		CASH BALANCE FORWARD					
	-130,438.00	-130,438.00	0.00	0.00	0.00	-130,438.00	.0%
470 51200		SALARIES					
	276,815.00	276,815.00	79,019.50	18,800.00	0.00	197,795.50	28.5%
470 51400		OVERTIME					
	25,000.00	25,000.00	3,057.42	373.37	0.00	21,942.58	12.2%
470 52100		FICA					
	22,624.00	22,624.00	6,428.78	1,459.09	0.00	16,195.22	28.4%
470 52200		RETIREMENT					
	65,192.00	65,192.00	18,236.24	4,141.46	0.00	46,955.76	28.0%
470 52300		HEALTH INSUR					
	82,624.00	82,624.00	13,950.16	3,220.04	0.00	68,673.84	16.9%
470 52301		LIFE INSUR					
	1,226.00	1,226.00	325.44	74.88	0.00	900.56	26.5%
470 52350		OPEB COSTS					
	2,194.00	2,194.00	730.00	183.00	0.00	1,464.00	33.3%
470 52400		WORKERS' COMP					
	4,527.00	4,527.00	1,511.00	377.00	0.00	3,016.00	33.4%
470 53100		PROFESSIONAL SERVICES					
	145,000.00	145,000.00	4,504.95	1,205.00	0.00	140,495.05	3.1%
470 53200		AUDITING					
	6,552.00	6,552.00	2,184.00	546.00	0.00	4,368.00	33.3%
470 53400		CONTRACTUAL					
	54,053.00	54,053.00	32,743.60	3,256.17	4,052.48	17,256.92	68.1%
470 54000		TRAINING/TRAVEL					
	9,858.00	9,858.00	3,517.33	3,517.33	-33.00	6,373.67	35.3%
470 54100		COMM - PHONE/FAX/ALARM					
	216.00	216.00	0.00	0.00	0.00	216.00	.0%
470 54101		COMMUNICATIONS-CELLULAR					
	2,500.00	2,500.00	807.94	199.12	0.00	1,692.06	32.3%
470 54103		COMMUNICATIONS-INTERNET					
	1,800.00	1,800.00	354.45	101.85	0.00	1,445.55	19.7%
470 54200		POSTAGE					
	50.00	50.00	0.00	0.00	0.00	50.00	.0%
470 54300		UTILITIES ELECTRIC					
	3,600.00	3,600.00	1,363.48	313.35	0.00	2,236.52	37.9%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
470 54310		UTILITIES-WATER & WASTEWATER					
	1,000.00	1,000.00	262.55	60.60	0.00	737.45	26.3%
470 54400		RENTALS/LEASES					
	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00	.0%
470 54500		INSURANCE					
	6,665.00	6,665.00	2,217.00	556.00	0.00	4,448.00	33.3%
470 54610		R/M BLDG & GROUNDS					
	1,500.00	1,500.00	1,387.69	0.00	0.00	112.31	92.5%
470 54611		R/M FACILITIES					
	8,500.00	8,500.00	412.29	0.00	0.00	8,087.71	4.9%
470 54620		R/M EQUIPMENT					
	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00	.0%
470 54630		R/M VEHICLES-LABOR					
	7,500.00	7,500.00	795.00	195.00	0.00	6,705.00	10.6%
470 54640		R/M VEHICLES-PARTS					
	10,000.00	10,000.00	2,496.64	894.84	0.00	7,503.36	25.0%
470 54700		PRINTING					
	500.00	500.00	0.00	0.00	0.00	500.00	.0%
470 54800		PROMOTIONAL					
	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	.0%
470 54910		BILLING COSTS					
	35,000.00	35,000.00	11,664.00	2,917.00	0.00	23,336.00	33.3%
470 54920		UTILITY ADMIN COSTS					
	30,000.00	30,000.00	10,000.00	2,500.00	0.00	20,000.00	33.3%
470 55100		OFFICE SUPPLIES					
	3,000.00	3,000.00	273.37	40.04	0.00	2,726.63	9.1%
470 55200		OPERATING SUPPLIES					
	144,330.00	124,250.00	23,051.47	2,507.11	15,450.00	85,748.53	31.0%
470 55210		UNIFORMS					
	3,900.00	3,900.00	2,350.00	0.00	0.00	1,550.00	60.3%
470 55230		GAS/OIL					
	15,000.00	15,000.00	2,547.68	881.23	0.00	12,452.32	17.0%
470 55400		BOOKS/SUBS/DUES					
	910.00	910.00	500.00	0.00	0.00	410.00	54.9%
470 56300		IMPROVEMENTS					
	0.00	0.00	92.00	0.00	-92.00	0.00	.0%
470 56300 18002		IMPROVEMENTS					
	1,474,020.00	1,474,020.00	0.00	0.00	0.00	1,474,020.00	.0%
470 56300 21037		IMPROVEMENTS					
	150,000.00	150,000.00	0.00	0.00	99,636.15	50,363.85	66.4%
470 56300 22013		IMPROVEMENTS					
	250,000.00	250,000.00	0.00	0.00	0.00	250,000.00	.0%
470 56300 22014		IMPROVEMENTS					
	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	.0%



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
470 56400		MACH/EQUIP					
	184,533.00	199,613.00	0.00	0.00	199,613.00	0.00	100.0%
470 56401		EQUIP-NON CAPITAL					
	0.00	5,000.00	530.88	0.00	0.00	4,469.12	10.6%
470 57100		PRINCIPAL					
	104,607.00	104,607.00	0.00	0.00	0.00	104,607.00	.0%
470 57200		INTEREST					
	11,965.00	11,965.00	0.00	0.00	0.00	11,965.00	.0%
470 59990		RESERVE					
	-1,462,198.00	-1,462,198.00	0.00	0.00	0.00	-1,462,198.00	.0%
TOTAL STORMWATER	0.00	0.00	-78,774.21	-29,871.70	318,626.63	-239,852.42	100.0%
TOTAL REVENUES	-1,831,063.00	-1,831,063.00	-306,089.07	-78,191.18	0.00	-1,524,973.93	
TOTAL EXPENSES	1,831,063.00	1,831,063.00	227,314.86	48,319.48	318,626.63	1,285,121.51	
GRAND TOTAL	0.00	0.00	-78,774.21	-29,871.70	318,626.63	-239,852.42	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
480 MARINA							
480 34750		SLIP RENTALS - PERMANENT					
	-435,000.00	-435,000.00	-140,400.00	-35,725.00	0.00	-294,600.00	32.3%
480 34755		SLIP RENTALS - TRANSIENT					
	-1,156,585.00	-1,156,585.00	-370,041.58	-52,280.85	0.00	-786,543.42	32.0%
480 34757		SLIP RENTALS - NON-TAXABLE					
	-5,000.00	-5,000.00	-5,055.51	-3,438.51	0.00	55.51	101.1%
480 34759		DOCK STORE RENT					
	0.00	0.00	-2,049.68	-592.43	0.00	2,049.68	100.0%
480 34760		BUSINESS RENTALS					
	-35,000.00	-35,000.00	-8,603.56	-2,150.89	0.00	-26,396.44	24.6%
480 34762		MOORINGS-TAXABLE					
	-90,750.00	-90,750.00	-25,271.69	-1,156.77	0.00	-65,478.31	27.8%
480 34763		MOORINGS - NON TAXABLE					
	0.00	0.00	-2,117.01	-2,117.01	0.00	2,117.01	100.0%
480 34767		SERVICES-TAXABLE					
	-7,050.00	-7,050.00	-382.99	-65.40	0.00	-6,667.01	5.4%
480 34770		FUEL-DIESEL					
	-1,837,500.00	-1,837,500.00	-109,686.68	-57,342.38	0.00	-1,727,813.32	6.0%
480 34771		FUEL-GAS					
	-546,250.00	-546,250.00	-35,030.21	-27,715.29	0.00	-511,219.79	6.4%
480 34775		FUEL-DISCOUNTS DIESEL					
	0.00	0.00	616.26	291.94	0.00	-616.26	100.0%
480 34776		FUEL-DISCOUNTS GAS					
	0.00	0.00	244.59	204.43	0.00	-244.59	100.0%
480 36110		INTEREST					
	0.00	0.00	-429.57	-280.78	0.00	429.57	100.0%
480 36215		NON-TAXABLE RENT					
	0.00	0.00	-2,726.84	-681.71	0.00	2,726.84	100.0%
480 36990		OTHER REVENUE					
	-960.00	-960.00	-1,205.71	-583.50	0.00	245.71	125.6%
480 38101		FROM GENERAL FUND					
	-726,101.00	-726,101.00	-242,029.00	-60,509.00	0.00	-484,072.00	33.3%
480 38145		FROM WASTEWATER					
	-3,014,418.00	-3,014,418.00	-3,014,418.00	0.00	0.00	0.00	100.0%
480 38910		CASH BALANCE FORWARD					
	2,963,644.00	2,963,644.00	0.00	0.00	0.00	2,963,644.00	.0%
480 53100		PROFESSIONAL SERVICES					
	27,600.00	27,600.00	18,180.00	2,295.00	0.00	9,420.00	65.9%
480 53200		AUDITING					
	7,371.00	7,371.00	2,459.00	614.00	0.00	4,912.00	33.4%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
480 53400		CONTRACTUAL					
	544,532.00	544,532.00	165,332.94	49,300.17	0.00	379,199.06	30.4%
480 54000		TRAINING/TRAVEL					
	1,900.00	1,900.00	0.00	0.00	0.00	1,900.00	.0%
480 54100		COMM - PHONE/FAX/ALARM					
	4,260.00	4,260.00	1,160.13	174.73	0.00	3,099.87	27.2%
480 54103		COMMUNICATIONS-INTERNET					
	13,800.00	13,800.00	1,720.72	617.22	0.00	12,079.28	12.5%
480 54200		POSTAGE					
	0.00	0.00	117.89	0.00	0.00	-117.89	100.0%
480 54300		UTILITIES ELECTRIC					
	13,200.00	13,200.00	2,658.20	186.58	0.00	10,541.80	20.1%
480 54310		UTILITIES-WATER & WASTEWATER					
	16,800.00	16,800.00	6,632.26	82.42	0.00	10,167.74	39.5%
480 54500		INSURANCE					
	552,604.00	552,604.00	184,143.44	53,938.89	0.00	368,460.56	33.3%
480 54610		R/M BLDG & GROUNDS					
	7,200.00	7,200.00	60,800.82	6,097.83	0.00	-53,600.82	844.5%
480 54611		R/M FACILITIES					
	13,500.00	13,500.00	6,887.02	25.74	0.00	6,612.98	51.0%
480 54620		R/M EQUIPMENT					
	9,000.00	9,000.00	25,710.14	16,365.10	0.00	-16,710.14	285.7%
480 54630		R/M VEHICLES-LABOR					
	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	.0%
480 54640		R/M VEHICLES-PARTS					
	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	.0%
480 54800		PROMOTIONAL					
	62,100.00	62,100.00	9,886.42	5,429.33	0.00	52,213.58	15.9%
480 55100		OFFICE SUPPLIES					
	3,750.00	3,750.00	1,688.01	354.33	0.00	2,061.99	45.0%
480 55200		OPERATING SUPPLIES					
	212,686.00	212,686.00	35,836.07	10,802.01	0.00	176,849.93	16.8%
480 55210		UNIFORMS					
	4,000.00	4,000.00	1,287.20	0.00	0.00	2,712.80	32.2%
480 55220		JANITORIAL SUPPLIES					
	4,800.00	4,800.00	0.00	0.00	0.00	4,800.00	.0%
480 55400		BOOKS/SUBS/DUES					
	0.00	0.00	1,962.41	0.00	0.00	-1,962.41	100.0%
480 55510		FUEL FOR RESALE					
	1,715,955.00	1,715,955.00	99,400.90	56,347.31	0.00	1,616,554.10	5.8%
480 56200 23034		BUILDING					
	30,000.00	30,000.00	0.00	0.00	0.00	30,000.00	.0%
480 56400		MACH/EQUIP					
	20,000.00	13,000.00	0.00	0.00	0.00	13,000.00	.0%



City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
480 56401		EQUIP-NON CAPITAL					
	0.00	7,000.00	0.00	0.00	6,806.00	194.00	97.2%
480 57100		PRINCIPAL					
	590,677.00	590,677.00	44,566.00	11,141.50	0.00	546,111.00	7.5%
480 57200		INTEREST					
	135,424.00	135,424.00	6,300.04	1,575.01	0.00	129,123.96	4.7%
480 59990		RESERVE					
	897,811.00	897,811.00	0.00	0.00	0.00	897,811.00	.0%
TOTAL MARINA	0.00	0.00	-3,281,857.57	-28,795.98	6,806.00	3,275,051.57	100.0%
		TOTAL REVENUES					
	-4,890,970.00	-4,890,970.00	-3,958,587.18	-244,143.15	0.00	-932,382.82	
		TOTAL EXPENSES					
	4,890,970.00	4,890,970.00	676,729.61	215,347.17	6,806.00	4,207,434.39	
	GRAND TOTAL						
	0.00	0.00	-3,281,857.57	-28,795.98	6,806.00	3,275,051.57	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
510 FLEET							
510 36110	INTEREST						
	0.00	0.00	-539.53	-118.84	0.00	539.53	100.0%
510 36990	OTHER REVENUE						
	-3,000.00	-3,000.00	-551.65	-551.65	0.00	-2,448.35	18.4%
510 36992	GAIN ON SALE OF ASSET						
	-75,000.00	-75,000.00	-45,178.22	0.00	0.00	-29,821.78	60.2%
510 38040	PARTS						
	0.00	0.00	1,018.73	1,669.37	0.00	-1,018.73	100.0%
510 38045	LABOR						
	0.00	0.00	-352.50	-165.00	0.00	352.50	100.0%
510 38053	GAS/OIL						
	-546,700.00	-546,700.00	-141,701.17	-34,550.55	0.00	-404,998.83	25.9%
510 38910	CASH BALANCE FORWARD						
	-133,172.00	-133,172.00	0.00	0.00	0.00	-133,172.00	.0%
TOTAL FLEET							
	-757,872.00	-757,872.00	-187,304.34	-33,716.67	0.00	-570,567.66	24.7%
TOTAL REVENUES							
	-757,872.00	-757,872.00	-187,304.34	-33,716.67	0.00	-570,567.66	
5101000 GENERAL FUND							
5101000 38040	PARTS						
	-248,500.00	-248,500.00	-78,793.60	-28,936.69	0.00	-169,706.40	31.7%
5101000 38045	LABOR						
	-208,250.00	-208,250.00	-69,418.00	-17,354.00	0.00	-138,832.00	33.3%
TOTAL GENERAL FUND							
	-456,750.00	-456,750.00	-148,211.60	-46,290.69	0.00	-308,538.40	32.4%
TOTAL REVENUES							
	-456,750.00	-456,750.00	-148,211.60	-46,290.69	0.00	-308,538.40	
5102400 FLEET BUILDING/PERMITTING							
5102400 38040	PARTS						
	0.00	0.00	-160.29	-27.08	0.00	160.29	100.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

5102400 FLEET BUILDING/PERMITTING		ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
TOTAL FLEET BUILDING/PERMITTING		0.00	0.00	-160.29	-27.08	0.00	160.29	100.0%
TOTAL REVENUES		0.00	0.00	-160.29	-27.08	0.00	160.29	
5102401 FLEET BUILDING/PERMITTING								
5102401 38040	PARTS	-2,500.00	-2,500.00	0.00	0.00	0.00	-2,500.00	.0%
5102401 38045	LABOR	-2,000.00	-2,000.00	-202.50	-120.00	0.00	-1,797.50	10.1%
TOTAL FLEET BUILDING/PERMITTING		-4,500.00	-4,500.00	-202.50	-120.00	0.00	-4,297.50	4.5%
TOTAL REVENUES		-4,500.00	-4,500.00	-202.50	-120.00	0.00	-4,297.50	
5103900 CEMETERY								
5103900 38040	PARTS	-2,000.00	-2,000.00	0.00	0.00	0.00	-2,000.00	.0%
5103900 38045	LABOR	-2,500.00	-2,500.00	0.00	0.00	0.00	-2,500.00	.0%
TOTAL CEMETERY		-4,500.00	-4,500.00	0.00	0.00	0.00	-4,500.00	.0%
TOTAL REVENUES		-4,500.00	-4,500.00	0.00	0.00	0.00	-4,500.00	
5104100 GOLF COURSE								
5104100 38040	PARTS	-500.00	-500.00	-281.43	-276.43	0.00	-218.57	56.3%
5104100 38045	LABOR	-500.00	-500.00	-735.00	-660.00	0.00	235.00	147.0%
TOTAL GOLF COURSE		-1,000.00	-1,000.00	-1,016.43	-936.43	0.00	16.43	101.6%
TOTAL REVENUES		-1,000.00	-1,000.00	-1,016.43	-936.43	0.00	16.43	



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

5104200 AIRPORT	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
5104200 AIRPORT							
5104200 38040	PARTS						
-7,500.00		-7,500.00	-711.77	-468.91	0.00	-6,788.23	9.5%
5104200 38045	LABOR						
-6,000.00		-6,000.00	-675.00	-390.00	0.00	-5,325.00	11.3%
TOTAL AIRPORT							
-13,500.00		-13,500.00	-1,386.77	-858.91	0.00	-12,113.23	10.3%
TOTAL REVENUES							
-13,500.00		-13,500.00	-1,386.77	-858.91	0.00	-12,113.23	
5104400 SANITATION							
5104400 38040	PARTS						
-15,000.00		-15,000.00	-5,654.23	-402.38	0.00	-9,345.77	37.7%
5104400 38045	LABOR						
-10,000.00		-10,000.00	-1,680.00	-285.00	0.00	-8,320.00	16.8%
TOTAL SANITATION							
-25,000.00		-25,000.00	-7,334.23	-687.38	0.00	-17,665.77	29.3%
TOTAL REVENUES							
-25,000.00		-25,000.00	-7,334.23	-687.38	0.00	-17,665.77	
5104500 WASTEWATER							
5104500 38040	PARTS						
-35,000.00		-35,000.00	-7,043.70	-1,669.19	0.00	-27,956.30	20.1%
5104500 38045	LABOR						
-20,000.00		-20,000.00	-2,370.00	-607.50	0.00	-17,630.00	11.9%
TOTAL WASTEWATER							
-55,000.00		-55,000.00	-9,413.70	-2,276.69	0.00	-45,586.30	17.1%
TOTAL REVENUES							
-55,000.00		-55,000.00	-9,413.70	-2,276.69	0.00	-45,586.30	
5104600 WATER							
5104600 38040	PARTS						
-25,000.00		-25,000.00	-6,752.29	-1,317.27	0.00	-18,247.71	27.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

5104600 WATER	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
5104600 38045	LABOR -12,000.00	-12,000.00	-2,182.50	-1,297.50	0.00	-9,817.50	18.2%
TOTAL WATER	-37,000.00	-37,000.00	-8,934.79	-2,614.77	0.00	-28,065.21	24.1%
TOTAL REVENUES	-37,000.00	-37,000.00	-8,934.79	-2,614.77	0.00	-28,065.21	
5104700 STORMWATER							
5104700 38040	PARTS -10,000.00	-10,000.00	-2,496.64	-894.84	0.00	-7,503.36	25.0%
5104700 38045	LABOR -7,500.00	-7,500.00	-795.00	-195.00	0.00	-6,705.00	10.6%
TOTAL STORMWATER	-17,500.00	-17,500.00	-3,291.64	-1,089.84	0.00	-14,208.36	18.8%
TOTAL REVENUES	-17,500.00	-17,500.00	-3,291.64	-1,089.84	0.00	-14,208.36	
5104800 MARINA							
5104800 38040	PARTS -1,000.00	-1,000.00	0.00	0.00	0.00	-1,000.00	.0%
5104800 38045	LABOR -1,000.00	-1,000.00	0.00	0.00	0.00	-1,000.00	.0%
TOTAL MARINA	-2,000.00	-2,000.00	0.00	0.00	0.00	-2,000.00	.0%
TOTAL REVENUES	-2,000.00	-2,000.00	0.00	0.00	0.00	-2,000.00	
GRAND TOTAL	-1,374,622.00	-1,374,622.00	-367,256.29	-88,618.46	0.00	-1,007,365.71	26.7%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
510 FLEET							
510 51200		SALARIES					
	205,986.00	205,986.00	62,579.62	15,940.84	0.00	143,406.38	30.4%
510 51400		OVERTIME					
	10,000.00	10,000.00	4,217.50	1,432.74	0.00	5,782.50	42.2%
510 52100		FICA					
	16,523.00	16,523.00	5,142.80	1,317.83	0.00	11,380.20	31.1%
510 52200		RETIREMENT					
	44,493.00	44,493.00	14,329.45	3,752.71	0.00	30,163.55	32.2%
510 52300		HEALTH INSUR					
	49,676.00	49,676.00	9,937.61	2,677.12	0.00	39,738.39	20.0%
510 52301		LIFE INSUR					
	1,095.00	1,095.00	248.80	66.56	0.00	846.20	22.7%
510 52400		WORKERS' COMP					
	4,562.00	4,562.00	1,522.00	380.00	0.00	3,040.00	33.4%
510 53200		AUDITING					
	2,457.00	2,457.00	817.00	205.00	0.00	1,640.00	33.3%
510 53400		CONTRACTUAL					
	21,273.00	21,273.00	10,245.16	449.07	0.00	11,027.84	48.2%
510 54000		TRAINING/TRAVEL					
	9,000.00	9,000.00	3,298.34	3,298.34	0.00	5,701.66	36.6%
510 54100		COMM - PHONE/FAX/ALARM					
	288.00	288.00	0.00	0.00	0.00	288.00	.0%
510 54101		COMMUNICATIONS-CELLULAR					
	650.00	650.00	100.00	25.00	0.00	550.00	15.4%
510 54103		COMMUNICATIONS-INTERNET					
	1,800.00	1,800.00	448.32	112.08	0.00	1,351.68	24.9%
510 54300		UTILITIES ELECTRIC					
	3,500.00	3,500.00	1,359.34	436.78	0.00	2,140.66	38.8%
510 54310		UTILITIES-WATER & WASTEWATER					
	2,400.00	2,400.00	719.39	190.15	0.00	1,680.61	30.0%
510 54500		INSURANCE					
	17,361.00	17,361.00	5,793.00	1,446.00	0.00	11,568.00	33.4%
510 54610		R/M BLDG & GROUNDS					
	500.00	500.00	426.04	0.00	0.00	73.96	85.2%
510 54611		R/M FACILITIES					
	14,000.00	14,000.00	5,883.79	776.22	0.00	8,116.21	42.0%
510 54620		R/M EQUIPMENT					
	9,000.00	9,000.00	4,360.55	61.19	0.00	4,639.45	48.5%
510 54630		R/M VEHICLES-LABOR					
	2,000.00	2,000.00	352.50	165.00	0.00	1,647.50	17.6%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
510 54640		R/M VEHICLES-PARTS					
	3,000.00	3,000.00	1,481.59	1,178.37	0.00	1,518.41	49.4%
510 55100		OFFICE SUPPLIES					
	200.00	200.00	0.00	0.00	0.00	200.00	.0%
510 55200		OPERATING SUPPLIES					
	10,630.00	10,630.00	3,780.72	795.32	0.00	6,849.28	35.6%
510 55210		UNIFORMS					
	1,275.00	1,275.00	900.00	0.00	0.00	375.00	70.6%
510 55230		GAS/OIL					
	5,500.00	5,500.00	1,845.17	785.32	0.00	3,654.83	33.5%
510 55240		CHEMICALS					
	500.00	12.00	0.00	0.00	0.00	12.00	.0%
510 55400		BOOKS/SUBS/DUES					
	200.00	200.00	0.00	0.00	0.00	200.00	.0%
510 56300		IMPROVEMENTS					
	0.00	0.00	35,688.57	0.00	-35,688.57	0.00	.0%
510 56300 22016		IMPROVEMENTS					
	35,689.00	35,689.00	0.00	0.00	0.00	35,689.00	.0%
510 56300 23023		IMPROVEMENTS					
	75,000.00	75,000.00	0.00	0.00	74,999.24	0.76	100.0%
510 56400		MACH/EQUIP					
	20,000.00	20,488.00	20,488.00	0.00	0.00	0.00	100.0%
510 58600		GAS/OIL COSTS					
	495,000.00	495,000.00	118,829.91	28,935.01	0.00	376,170.09	24.0%
510 58700		VEHICLE PARTS/SRVS COSTS					
	305,000.00	305,000.00	98,762.08	35,873.79	0.00	206,237.92	32.4%
510 59990		RESERVE					
	6,064.00	6,064.00	0.00	0.00	0.00	6,064.00	.0%
TOTAL FLEET							
	1,374,622.00	1,374,622.00	413,557.25	100,300.44	39,310.67	921,754.08	32.9%
TOTAL EXPENSES							
	1,374,622.00	1,374,622.00	413,557.25	100,300.44	39,310.67	921,754.08	
GRAND TOTAL							
	1,374,622.00	1,374,622.00	413,557.25	100,300.44	39,310.67	921,754.08	32.9%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
520 UTILITY BILLING							
520 34300		UB ADMIN FEES					
	-32,000.00	-32,000.00	-7,787.50	-1,562.50	0.00	-24,212.50	24.3%
520 36110		INTEREST					
	0.00	0.00	-902.95	-222.54	0.00	902.95	100.0%
520 38910		CASH BALANCE FORWARD					
	-302,715.00	-302,715.00	0.00	0.00	0.00	-302,715.00	.0%
TOTAL UTILITY BILLING							
	-334,715.00	-334,715.00	-8,690.45	-1,785.04	0.00	-326,024.55	2.6%
TOTAL REVENUES							
	-334,715.00	-334,715.00	-8,690.45	-1,785.04	0.00	-326,024.55	
5204200 AIRPORT							
5204200 38052		CHARGES FOR UB SERVICES					
	-7,300.00	-7,300.00	-2,436.00	-608.00	0.00	-4,864.00	33.4%
TOTAL AIRPORT							
	-7,300.00	-7,300.00	-2,436.00	-608.00	0.00	-4,864.00	33.4%
TOTAL REVENUES							
	-7,300.00	-7,300.00	-2,436.00	-608.00	0.00	-4,864.00	
5204400 SANITATION							
5204400 38052		CHARGES FOR UB SERVICES					
	-92,000.00	-92,000.00	-30,664.00	-7,667.00	0.00	-61,336.00	33.3%
TOTAL SANITATION							
	-92,000.00	-92,000.00	-30,664.00	-7,667.00	0.00	-61,336.00	33.3%
TOTAL REVENUES							
	-92,000.00	-92,000.00	-30,664.00	-7,667.00	0.00	-61,336.00	
5204500 WASTE WATER							
5204500 38052		CHARGES FOR UB SERVICES					
	-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00	33.3%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

5204500 WASTE WATER	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
TOTAL WASTE WATER							
-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00	33.3%	
TOTAL REVENUES							
-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00		
5204600 WATER							
5204600 38052 CHARGES FOR UB SERVICES							
-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00	33.3%	
TOTAL WATER							
-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00	33.3%	
TOTAL REVENUES							
-200,000.00	-200,000.00	-66,664.00	-16,667.00	0.00	-133,336.00		
5204700 STORMWATER							
5204700 38052 CHARGES FOR UB SERVICES							
-35,000.00	-35,000.00	-11,664.00	-2,917.00	0.00	-23,336.00	33.3%	
TOTAL STORMWATER							
-35,000.00	-35,000.00	-11,664.00	-2,917.00	0.00	-23,336.00	33.3%	
TOTAL REVENUES							
-35,000.00	-35,000.00	-11,664.00	-2,917.00	0.00	-23,336.00		
GRAND TOTAL							
-869,015.00	-869,015.00	-186,782.45	-46,311.04	0.00	-682,232.55	21.5%	

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
520 UTILITY BILLING							
520 51200		SALARIES					
	309,427.00	309,427.00	94,787.80	23,624.40	0.00	214,639.20	30.6%
520 51400		OVERTIME					
	2,000.00	2,000.00	607.61	113.76	0.00	1,392.39	30.4%
520 52100		FICA					
	23,825.00	23,825.00	7,194.13	1,778.43	0.00	16,630.87	30.2%
520 52200		RETIREMENT					
	66,836.00	66,836.00	20,691.81	5,127.45	0.00	46,144.19	31.0%
520 52300		HEALTH INSUR					
	52,583.00	52,583.00	20,440.89	4,942.92	0.00	32,142.11	38.9%
520 52301		LIFE INSUR					
	1,637.00	1,637.00	371.62	94.82	0.00	1,265.38	22.7%
520 52400		WORKERS' COMP					
	345.00	345.00	113.00	29.00	0.00	232.00	32.8%
520 53400		CONTRACTUAL					
	32,244.00	32,244.00	20,659.19	753.11	209.27	11,375.54	64.7%
520 54000		TRAINING/TRAVEL					
	3,575.00	3,575.00	350.93	98.77	0.00	3,224.07	9.8%
520 54100		COMM - PHONE/FAX/ALARM					
	1,032.00	1,032.00	144.28	48.14	0.00	887.72	14.0%
520 54103		COMMUNICATIONS-INTERNET					
	1,800.00	1,800.00	448.32	112.08	0.00	1,351.68	24.9%
520 54200		POSTAGE					
	47,500.00	47,500.00	19,995.00	3,999.00	0.00	27,505.00	42.1%
520 54300		UTILITIES ELECTRIC					
	3,675.00	3,675.00	623.82	202.98	0.00	3,051.18	17.0%
520 54310		UTILITIES-WATER & WASTEWATER					
	1,100.00	1,100.00	214.14	146.91	0.00	885.86	19.5%
520 54610		R/M BLDG & GROUNDS					
	750.00	750.00	0.00	0.00	0.00	750.00	.0%
520 54611		R/M FACILITIES					
	2,500.00	2,500.00	51.12	0.00	0.00	2,448.88	2.0%
520 54620		R/M EQUIPMENT					
	700.00	700.00	0.00	0.00	0.00	700.00	.0%
520 54700		PRINTING					
	8,100.00	8,100.00	3,303.00	1,988.25	0.00	4,797.00	40.8%
520 54902		BAD DEBT EXPENSE					
	2,000.00	2,000.00	1,020.28	45.20	0.00	979.72	51.0%
520 55100		OFFICE SUPPLIES					
	3,994.00	3,994.00	179.17	118.04	0.00	3,814.83	4.5%



**City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT**

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
520 55200		OPERATING SUPPLIES					
	6,330.00	6,330.00	818.55	705.60	0.00	5,511.45	12.9%
520 55210		UNIFORMS					
	700.00	700.00	400.00	0.00	0.00	300.00	57.1%
520 55220		JANITORIAL SUPPLIES					
	685.00	685.00	69.70	0.00	0.00	615.30	10.2%
520 56300 23024		IMPROVEMENTS					
	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00	100.0%
520 56400		MACH/EQUIP					
	25,000.00	25,000.00	0.00	0.00	0.00	25,000.00	.0%
520 59990		RESERVE					
	250,677.00	250,677.00	0.00	0.00	0.00	250,677.00	.0%
TOTAL UTILITY BILLING							
	869,015.00	869,015.00	192,484.36	43,928.86	20,209.27	656,321.37	24.5%
TOTAL EXPENSES							
	869,015.00	869,015.00	192,484.36	43,928.86	20,209.27	656,321.37	
GRAND TOTAL							
	869,015.00	869,015.00	192,484.36	43,928.86	20,209.27	656,321.37	24.5%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

		ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
530 UTILITY ADMIN								
530 36110	INTEREST							
	-1,000.00		-1,000.00	-123.20	-33.76	0.00	-876.80	12.3%
530 38910	CASH BALANCE FORWARD							
	-26,503.00		-26,503.00	0.00	0.00	0.00	-26,503.00	.0%
TOTAL UTILITY ADMIN								
	-27,503.00		-27,503.00	-123.20	-33.76	0.00	-27,379.80	.4%
TOTAL REVENUES								
	-27,503.00		-27,503.00	-123.20	-33.76	0.00	-27,379.80	
5304500 WASTE WATER								
5304500 38054	CHARGES FOR UTIL ADM							
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	33.3%
TOTAL WASTE WATER								
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	33.3%
TOTAL REVENUES								
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	
5304600 WATER								
5304600 38054	CHARGES FOR UTIL ADM							
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	33.3%
TOTAL WATER								
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	33.3%
TOTAL REVENUES								
	-294,330.00		-294,330.00	-98,106.00	-24,528.00	0.00	-196,224.00	
5304700 STORMWATER								
5304700 38054	CHARGES FOR UTIL ADM							
	-30,000.00		-30,000.00	-10,000.00	-2,500.00	0.00	-20,000.00	33.3%



**City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT**

FOR 2023 04

5304700 STORMWATER	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
TOTAL STORMWATER	-30,000.00	-30,000.00	-10,000.00	-2,500.00	0.00	-20,000.00	33.3%
TOTAL REVENUES	-30,000.00	-30,000.00	-10,000.00	-2,500.00	0.00	-20,000.00	
GRAND TOTAL	-646,163.00	-646,163.00	-206,335.20	-51,589.76	0.00	-439,827.80	31.9%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
530 UTILITY ADMIN							
530 51200		SALARIES					
	363,995.00	363,995.00	106,066.18	27,446.22	0.00	257,928.82	29.1%
530 51400		OVERTIME					
	2,500.00	2,500.00	986.03	175.93	0.00	1,513.97	39.4%
530 52100		FICA					
	27,850.00	27,850.00	7,623.01	1,934.84	0.00	20,226.99	27.4%
530 52200		RETIREMENT					
	78,623.00	78,623.00	23,317.72	5,966.39	0.00	55,305.28	29.7%
530 52300		HEALTH INSUR					
	76,243.00	76,243.00	21,884.17	5,624.52	0.00	54,358.83	28.7%
530 52301		LIFE INSUR					
	2,296.00	2,296.00	426.47	118.97	0.00	1,869.53	18.6%
530 52400		WORKERS' COMP					
	4,847.00	4,847.00	1,615.00	404.00	0.00	3,232.00	33.3%
530 53400		CONTRACTUAL					
	30,981.00	30,981.00	3,118.62	952.92	837.08	27,025.30	12.8%
530 54000		TRAINING/TRAVEL					
	4,110.00	4,110.00	2,100.00	0.00	-66.00	2,076.00	49.5%
530 54100		COMM - PHONE/FAX/ALARM					
	864.00	864.00	72.14	24.07	0.00	791.86	8.3%
530 54101		COMMUNICATIONS-CELLULAR					
	3,000.00	3,000.00	155.92	104.57	0.00	2,844.08	5.2%
530 54103		COMMUNICATIONS-INTERNET					
	1,800.00	1,800.00	457.32	114.33	0.00	1,342.68	25.4%
530 54200		POSTAGE					
	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	.0%
530 54300		UTILITIES ELECTRIC					
	3,000.00	3,000.00	623.82	202.98	0.00	2,376.18	20.8%
530 54310		UTILITIES-WATER & WASTEWATER					
	800.00	800.00	214.13	146.90	0.00	585.87	26.8%
530 54610		R/M BLDG & GROUNDS					
	500.00	500.00	0.00	0.00	0.00	500.00	.0%
530 54611		R/M FACILITIES					
	2,500.00	2,500.00	83.30	63.56	0.00	2,416.70	3.3%
530 55100		OFFICE SUPPLIES					
	4,000.00	4,000.00	425.17	100.51	0.00	3,574.83	10.6%
530 55200		OPERATING SUPPLIES					
	7,030.00	7,030.00	0.00	0.00	0.00	7,030.00	.0%
530 55210		UNIFORMS					
	1,800.00	1,800.00	900.00	0.00	0.00	900.00	50.0%



**City of Fernandina Beach
YEAR-TO-DATE BUDGET REPORT**

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
530 55220		JANITORIAL SUPPLIES					
	4,000.00	4,000.00	69.69	0.00	0.00	3,930.31	1.7%
530 55400		BOOKS/SUBS/DUES					
	2,100.00	2,100.00	0.00	0.00	0.00	2,100.00	.0%
530 56300 23024		IMPROVEMENTS					
	20,000.00	20,000.00	0.00	0.00	19,999.00	1.00	100.0%
530 59990		RESERVE					
	1,824.00	1,824.00	0.00	0.00	0.00	1,824.00	.0%
TOTAL UTILITY ADMIN							
	646,163.00	646,163.00	170,138.69	43,380.71	20,770.08	455,254.23	29.5%
TOTAL EXPENSES							
	646,163.00	646,163.00	170,138.69	43,380.71	20,770.08	455,254.23	
GRAND TOTAL							
	646,163.00	646,163.00	170,138.69	43,380.71	20,770.08	455,254.23	29.5%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
610 PENSION - GENERAL							
610 36110		INTEREST					
	-375,000.00	-375,000.00	-44,330.20	0.00	0.00	-330,669.80	11.8%
610 36120		UNREALIZED GAIN					
	-55,000.00	-55,000.00	194,653.76	194,653.76	0.00	-249,653.76	-353.9%
610 36130		INCOME/LOSS/REALIZED G/L					
	-60,000.00	-60,000.00	-19,431.18	-19,431.18	0.00	-40,568.82	32.4%
610 36700		GAIN/LOSS ON INVESTMENT					
	-500,000.00	-500,000.00	-45,908.43	0.00	0.00	-454,091.57	9.2%
610 36840		CONTRIBUTIONS FROM CITY					
	-1,976,402.00	-1,976,402.00	-464,098.22	0.00	0.00	-1,512,303.78	23.5%
610 36850		CONTRIBUTIONS FROM EMPLOYEES					
	-594,751.00	-594,751.00	-88,973.27	0.00	0.00	-505,777.73	15.0%
610 36990		OTHER REVENUE					
	0.00	0.00	-15,194.16	0.00	0.00	15,194.16	100.0%
610 38910		CASH BALANCE FORWARD					
	-28,983,321.00	-28,983,321.00	0.00	0.00	0.00	-28,983,321.00	.0%
610 53400		CONTRACTUAL					
	117,435.00	117,435.00	22,085.15	0.00	0.00	95,349.85	18.8%
610 53401		CONTRACTUAL AMERICAN CORE REA					
	26,400.00	26,400.00	8,407.51	8,407.51	0.00	17,992.49	31.8%
610 53404		INVESTMENT EXPENSE					
	35,765.00	35,765.00	14,571.64	0.00	0.00	21,193.36	40.7%
610 53600		RETIREE BENEFITS					
	2,137,280.00	2,137,280.00	280,954.63	-3,733.58	0.00	1,856,325.37	13.1%
610 53610		CONTRIBUTION REFUNDS					
	0.00	0.00	10,846.31	3,733.58	0.00	-10,846.31	100.0%
610 59990		RESERVE					
	30,227,594.00	30,227,594.00	0.00	0.00	0.00	30,227,594.00	.0%
TOTAL PENSION - GENERAL							
	0.00	0.00	-146,416.46	183,630.09	0.00	146,416.46	100.0%
TOTAL REVENUES							
	-32,544,474.00	-32,544,474.00	-483,281.70	175,222.58	0.00	-32,061,192.30	
TOTAL EXPENSES							
	32,544,474.00	32,544,474.00	336,865.24	8,407.51	0.00	32,207,608.76	
GRAND TOTAL							
	0.00	0.00	-146,416.46	183,630.09	0.00	146,416.46	100.0%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
620 PENSION - POLICE/FIRE							
620 31251		STATE/FIRE INSURANCE TAX					
	-115,000.00	-115,000.00	-3,218.40	0.00	0.00	-111,781.60	2.8%
620 31252		STATE/POLICE INSURANCE TAX					
	-110,000.00	-110,000.00	0.00	0.00	0.00	-110,000.00	.0%
620 36110		INTEREST					
	-450,000.00	-450,000.00	-141,319.81	-86,019.38	0.00	-308,680.19	31.4%
620 36120		UNREALIZED GAIN					
	-55,000.00	-55,000.00	222,913.35	222,913.35	0.00	-277,913.35	-405.3%
620 36130		INCOME/LOSS/REALIZED G/L					
	-70,000.00	-70,000.00	-22,252.17	-22,252.17	0.00	-47,747.83	31.8%
620 36700		GAIN/LOSS ON INVESTMENT					
	-500,000.00	-500,000.00	-232,689.82	-198,553.12	0.00	-267,310.18	46.5%
620 36850		CONTRIBUTIONS FROM EMPLOYEES					
	-358,529.00	-358,529.00	-109,013.66	-48,197.81	0.00	-249,515.34	30.4%
620 36990		OTHER REVENUE					
	0.00	0.00	191.42	-2,892.55	0.00	-191.42	100.0%
620 38910		CASH BALANCE FORWARD					
	-34,931,466.00	-34,931,466.00	0.00	0.00	0.00	-34,931,466.00	.0%
TOTAL PENSION - POLICE/FIRE							
	-36,589,995.00	-36,589,995.00	-285,389.09	-135,001.68	0.00	-36,304,605.91	.8%
TOTAL REVENUES							
	-36,589,995.00	-36,589,995.00	-285,389.09	-135,001.68	0.00	-36,304,605.91	
6202100 POLICE							
6202100 36840		CONTRIBUTIONS FROM CITY					
	-771,689.00	-771,689.00	-402,997.57	-228,002.31	0.00	-368,691.43	52.2%
TOTAL POLICE							
	-771,689.00	-771,689.00	-402,997.57	-228,002.31	0.00	-368,691.43	52.2%
TOTAL REVENUES							
	-771,689.00	-771,689.00	-402,997.57	-228,002.31	0.00	-368,691.43	
6202200 FIRE							
6202200 36840		CONTRIBUTIONS FROM CITY					
	-791,507.00	-791,507.00	-316,640.94	-179,144.67	0.00	-474,866.06	40.0%



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

6202200 FIRE	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
TOTAL FIRE	-791,507.00	-791,507.00	-316,640.94	-179,144.67	0.00	-474,866.06	40.0%
TOTAL REVENUES	-791,507.00	-791,507.00	-316,640.94	-179,144.67	0.00	-474,866.06	
GRAND TOTAL	-38,153,191.00	-38,153,191.00	-1,005,027.60	-542,148.66	0.00	-37,148,163.40	2.6%

** END OF REPORT - Generated by Ashley Butler **



City of Fernandina Beach YEAR-TO-DATE BUDGET REPORT

FOR 2023 04

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
620 PENSION - POLICE/FIRE							
620 53400		CONTRACTUAL					
	120,700.00	120,700.00	20,923.36	0.00	0.00	99,776.64	17.3%
620 53401		CONTRACTUAL-AMERICAN CORE REA					
	21,630.00	21,630.00	9,628.10	9,628.10	0.00	12,001.90	44.5%
620 53404		INVESTMENT EXPENSE					
	53,000.00	53,000.00	23,462.59	342.01	0.00	29,537.41	44.3%
620 53600		RETIREE BENEFITS					
	1,980,000.00	1,980,000.00	279,411.42	-764.26	0.00	1,700,588.58	14.1%
620 53610		CONTRIBUTION REFUNDS					
	0.00	0.00	764.26	764.26	0.00	-764.26	100.0%
620 59990		RESERVE					
	35,977,861.00	35,977,861.00	0.00	0.00	0.00	35,977,861.00	.0%
TOTAL PENSION - POLICE/FIRE							
	38,153,191.00	38,153,191.00	334,189.73	9,970.11	0.00	37,819,001.27	.9%
TOTAL EXPENSES							
	38,153,191.00	38,153,191.00	334,189.73	9,970.11	0.00	37,819,001.27	
GRAND TOTAL							
	38,153,191.00	38,153,191.00	334,189.73	9,970.11	0.00	37,819,001.27	.9%

** END OF REPORT - Generated by Ashley Butler **

City of Fernandina Beach
Accounts Receivable Analysis
1/31/2023

Utility Billing - Current Accounts

Number of Customers		Delinquency Days	\$	Avg Monthly Billing
9,352	Active Customers			\$ 1,108,069.87
519		30	52,639.18	
82		60	6,551.31	*payment terms
30		90	1,658.31	*
12		120+	467.06	*
519		Total	\$ 61,315.86	

Utility Billings - Closed accounts (including accts not yet turned over to Collection Agency)

159 accts.
w/delinquent balances \$ 29,898.99

Utility Billings in Collections

Year based on final billing date	# of Accounts Transferred	Amt of \$ Transferred	Amt of \$ Recovered by CCI	Amt of \$ Recovered by UB	Total \$ Recovered	% recovered
2014 Charged Off	Effective 9/30/17	-	-	-		0.00%
2015 Charged Off	Effective 9/30/18	-	-	-		0.00%
2016 Charged Off	Effective 9/30/20	-	-	-		0.00%
2017 Charged Off	Effective 9/30/21	-	-	-		0.00%
2018 Charged Off	Effective 9/30/22	-	-	-		0.00%
2019 (thru Dec)	158	46,319.16	932.35	3,814.79		10.25%
2020 (thru Dec)	164	29,945.44	1,550.60	2,654.99		14.04%
2021 (thru Dec)	234	49,949.31	1,044.27	2,142.66		6.38%
2022 (thru Apr)	48	8,944.83	345.61			
		\$ 135,158.74	\$ 3,872.83	\$ 8,612.44	\$ 12,485.27	9.24%
Recovered to date		\$ (12,485.27)				
Balance currently at CCI		\$ 122,673.47				

Airport

Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing
71	ALL Customers			\$61,082.78
14		30	13,590.22	(Amelia Island Aviation - acct closed)
4		60	6,347.94	\$ -
1		90	252.72	\$ -
1		120+	578.33	\$ -
				\$ 8,758.77
14		Sub Total	\$ 20,769.21	\$ 8,758.77
				\$ 29,527.98

Marina

Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing
440	ALL Customers			\$283,781
41		30	4,892.11	
		60	10,577.28	
		90	3,091.58	
		120	4,942.07	
		150+	-	
			23,503.04	
	Customer paid in Advnace		-	Deposit
	Total A/R Balance		23,503.04	

Peck Center & Other City Leases

Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing
6	ALL Customers			2,416.29
2		30	340.21	
0		60	-	
0		90	-	
0		120+	-	
2		Sub Total	\$ 340.21	

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2023-25
Voluntary Annexation Agreement - 2037 Friendly Road

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2023-25.

SYNOPSIS: Property owner, Aubrey Clayton Carter, completed the City of Fernandina Beach Voluntary Annexation Agreement/Petition for Annexation application pursuant to Chapter 171.44, Florida Statutes, for one parcel containing approximately 0.25 acres located at 2037 Friendly Road, identified as parcel No. 00-00-30-0860-0004-0000.

Staff has determined the request is consistent with the City's Municipal Code Sections 82-44 and 82-403, its Comprehensive Plan and Land Development Code, and recommends approval.

FISCAL IMPACT: There will be a 25% surcharge on utilities services based on monthly usage, to be paid to the City Utilities Department until such time that the property is annexed into the municipal limits.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2023-25.

Kelly Gibson, Planning Director	1/30/2023
Katie Newton, Legal Assistant	2/7/2023
Agnes White, Administrative Services Manager	2/7/2023
Pauline Testagrose, Comptroller	2/10/2023
Dale Martin, City Manager	2/10/2023
Tammi E. Bach, City Attorney	2/13/2023

Date: January 24, 2023

Submitted By: Sylvie McCann, Administrative Coordinator

COMMISSION ACTION: Adopt

RESOLUTION 2023-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, property owners, Aubrey Clayton Carter, completed the City of Fernandina Beach Voluntary Annexation Petition/Water/Wastewater Annexation Agreement Application pursuant to Chapter 171.044, Florida Statutes, for one parcel containing approximately 0.25 acres located at 2037 Friendly Road, identified as Parcel No. 00-00-30-0860-0004-0000; and

WHEREAS, staff determined the request is consistent with the City's Municipal Code Sections 82-44 and 82-403, its Comprehensive Plan, and Land Development Code; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to provide water and wastewater services to the subject property.

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

SECTION 1. The City Commission hereby authorizes the extension of water and wastewater services to the property owners identified, whose property is located outside the corporate limits of the City at 2037 Friendly Road and identified as Parcel No. 00-00-30-0860-0004-0000, attached hereto as Exhibit A, and approves the Voluntary Annexation Petition, attached hereto as Exhibit B.

SECTION 2. The City Commission hereby authorizes the City Clerk and City Manager to execute said petition on behalf of the City of Fernandina Beach.

SECTION 3. The City Clerk is hereby directed to record the petition in the public records of Nassau County, Florida, as required by Ordinance No. 2001-01.

SECTION 4. This Resolution shall be effective immediately upon passage.

ADOPTED this 21ST day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

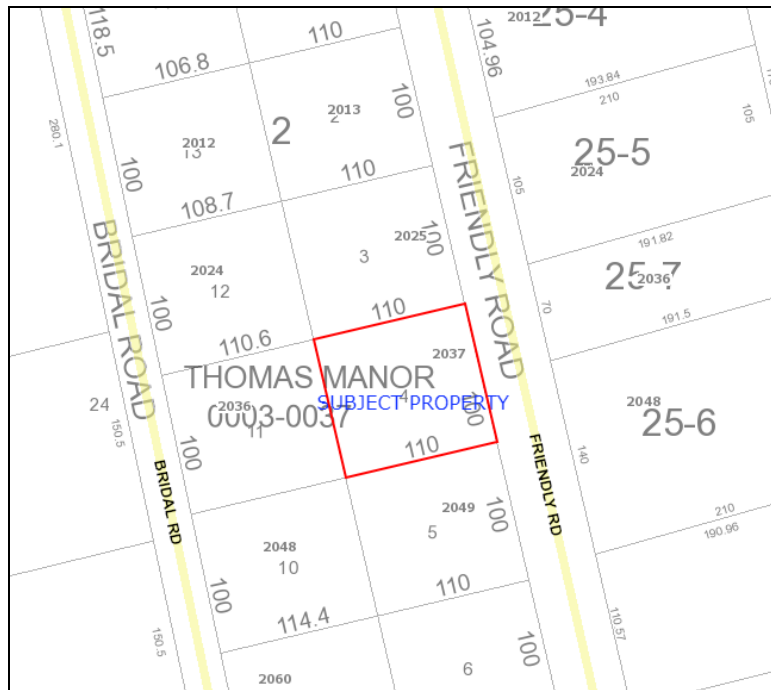


CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

WATER & WASTEWATER AGREEMENT/ VOLUNTARY PETITION FOR ANNEXATION OF PARCEL
ID NUMBER: 00-00-30-0860-0004-0000 LOCATED AT 2037 FRIENDLY ROAD TOTALING
APPROXIMATELY 0.25 ACRES OF LAND

2037 FRIENDLY ROAD



CITY OF FERNANDINA BEACH
VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION

THIS VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION dated this 7 day of December, 2022 by and between the CITY OF FERNANDINA BEACH, a municipal corporation, (hereinafter referred to as "City"); and A. Clayton Carter & Marie Brown (hereinafter collectively referred to as the "Applicants").

WHEREAS, this Annexation Agreement/ Petition for Annexation (hereinafter referred to as "Agreement") shall be considered entered into upon execution, where the actual annexation of land shall occur once the subject property becomes contiguous to any boundary demarking the incorporated area of the City of Fernandina Beach and upon the execution of an Ordinance by the City Commission of the City authorizing and approving the execution of such annexation, consistent with the mutual promises, covenants and acknowledgments agreed to by the City Commission and the Applicants, as contained in this Agreement; and

WHEREAS, the Applicants collectively, are the owners of record of the parcel of land known and described as follows, comprising the property which is the subject of this Agreement (the "Property"):

PARCEL ID#: 00-00-30-0860-0004-0000

GENERALLY DESCRIBED AS: Residential

ADDRESSED AS: 2037 Friendly Road

See Attached Exhibit "A"

WHEREAS, the covenants and acknowledgments contained herein have been made in consideration of annexation into the City of Fernandina Beach of the above described Property; and

WHEREAS, it is the desire of the City to provide for appropriate use of the Property; and

WHEREAS, the Applicants are willing to have the Property annexed to the City and the City desires and believes that it would be in the best interest of the City to annex the Property, which is located outside the corporate limits of the City in Nassau County, Florida, at such time as the Property become contiguous; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and acknowledgments stated herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Effective Date:** This Agreement shall become effective upon execution.
2. **Execution:** The parties hereto agree to execute any and all such documents as are reasonably necessary to carry out the terms and provisions of this Agreement.
3. **Binding Effect:** The parties hereto do covenant and agree that this Agreement and its Exhibits, shall be binding on their successors and assigns, including the political subdivisions as the City of Fernandina Beach.
4. **Water and/or Sanitary Sewer:** The Applicants shall be permitted to tap into the City's water and/or sanitary sewer system at a point determined by the City. The Applicants shall also be responsible for payment to the City of any and all applicable fees that are assessable under City Ordinance and State Law.

5. Land Use and Zoning: Upon Annexation of the Property, and until the adoption by the City Commission of the City's Comprehensive Plan and zoning district for the Property, the Comprehensive Plan (including future land use) and zoning ordinances and regulations shall remain in full force and effect for the Property, and shall be enforced by the City. The City shall adopt the future land use designation and zoning district for the Property that most closely approximate to the current Nassau County future land use designation and zoning district for the Property regarding allowable uses and development standards.

6. Governing Law: The laws of the State of Florida shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect.

7. Entire Agreement: The parties hereto acknowledge that this Agreement constitutes the sole agreement between the parties; that all prior proposals and agreements, whether oral or written, are hereby superseded; and that this Agreement may not be changed, altered or modified except in writing and signed by the parties hereto. The parties hereto further acknowledge that, in entering into this Agreement, each party has not been induced by, has not relied upon, and has not included as part of the basis of the bargain herein, any representation or statement, whether expressed or implied, made by any agent, representative or employee, which representation or statement is not approved by the other at any public hearing or work session of the City Commission or otherwise made as part of the official public record in the proceedings related to this Agreement. This Agreement binds the Applicants' Property to being annexed into the City once the Property becomes contiguous to any boundary demarking the incorporated area of the City of Fernandina Beach and upon the execution of an Ordinance by the City Commission of the City authorizing and approving the execution of such agreement, consistent with the mutual promises, covenants and acknowledgments agreed to by the City Commission.

8. Default: In the event either of the parties default in the performance of the obligations set forth in this Agreement, then the other may, upon notice to defaulting party, allow the defaulting party sixty (60) days to cure the default or provide evidence to the non-defaulting party that such default will be cured in a timely manner if it cannot be cured during said period. If the defaulting party fails to cure such default or provide such evidence as provided above, then, with notice to defaulting party, the other party may begin proceedings to require specific performance of this Agreement or bring suit for damages for breach of the Agreement. The prevailing party shall be entitled to a reasonable attorney's fee for having brought such action.

8. Recording: This Agreement shall run with the land and a copy of this Agreement for Annexation shall be filed and recorded by the City Clerk's Office with the Nassau County Clerk of Circuit Court.

IN WITNESS WHEREOF, the City and Applicant(s) have caused this instrument to be executed by their respective proper parties duly authorized to execute the same on the day and the year first above written.

CITY OF FERNANDINA BEACH

ATTEST:

DALE L. MARTIN
City Manager

CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
City Attorney

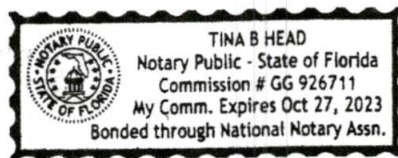
APPLICANT(S)

By: Aubrey Clayton Carter
Applicant

By: Marie C. Brown
Applicant

STATE OF FLORIDA
COUNTY OF NASSAU

ss }



Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization,

this 7 day of December, 2022,

by A. Clayton Carter & Marie C. Brown

Tina B Head
Notary Public

Tina B Head
Printed Name

10-27-23
My Commission Expires

Personally Known ☒ OR Produced Identification ☐ ID Produced: ☐

EXHIBIT A

NASSAU COUNTY PROPERTY APPRAISER
PARCEL REPORT

Print

Water /Wastewater Annexation - Submission #10668

Date Submitted: 1/24/2023

WATER/ WASTEWATER ANNEXATION

USE THIS FORM TO: Request the City Commission's authorization to extend water and/or sanitary wastewater services to property not located within the City limits and not currently eligible for annexation.

This application must also include the Voluntary Annexation Agreement / Petition for Annexation, as required by Municipal Code prior to the extension of services outside the City's jurisdiction.

Fees

☐

\$300

IMPORTANT NOTES

Per Municipal Code Sections 82-44 and 82-403, the extension of City water and/or sanitary sewer services to property located outside the municipal limits must be authorized by the City Commission. Application for these services shall be placed on the next available City Commission agenda. The City Commission meets the 1st and 3rd Tuesday of each month at 6:00PM. Applications must be received three (3) weeks prior to the requested agenda.

This application must also include the Voluntary Annexation Agreement / Petition for Annexation, as required by Municipal Code prior to the extension of services outside the City's jurisdiction.

PROPERTY INFORMATION

[Property information can be found at the Nassau County Property Appraiser's Website's Map Search](#)

Site Address*

2037 Friendly Road 334

Parcel ID #(s)*

00-00-30-0860-0004-0000

OWNER OF RECORD

ALL NAMES, as recorded with the Nassau County Property Appraiser

First Name*

Aubrey

Last Name*

Carter

Company (if applicable)

Mailing Address*

P/O Box 6051 Fernandina Beach Florida 32035

Telephone Number*

(904)-583-0162

E-mail Address*

ccarter0162@gmail.com

OWNER'S AGENT

If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name

Last Name

Company (if applicable)

Mailing Address

City

State

Zip

Telephone Number

E-mail Address

PROJECT INFORMATION

Total Number of Lots/Parcels*

1

< One (1) acre sq. footage*

1

> One (1) acre sq. footage*

N/a

Existing Zoning Classification*

Lot 4 in or 80/940 Thomas Manor 3/37

Existing Future Land Use Classification

Description of Request*

Water and sewer

Have you filled out and attached the Annexation Petition Agreement?*



Yes



No

If not, please click the link below to download, fill out and attach to this application:

[Voluntary Annexation Agreement / Petition for Annexation](#)

Upload Supporting Documentation

Choose File

No file selected

Upload 2

Choose File

No file selected

Upload 3

Choose File

No file selected

Upload 4

Choose File

No file selected

Upload 5

Choose File

No file selected

Certification*



By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.



I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

Applicant's First Name*

Aubrey

Applicant's Last Name*

Carter

Today's Date*

1/24/2023



DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach Florida 32604 | 904 310-3480 |

www.fbfl.us/planning

PROPERTY INFORMATION

Parcel Number 00-00-30-0860-0004-0000

Owner Name

CARTER AUBREY CLAYTON &

Mailing Address

BROWN MARIE C (JT/RS)

P O BOX 6051

Location Address

FERNANDINA BEACH, FL 32035

2037 FRIENDLY RD

FERNANDINA BEACH 32034

Tax District

UNINCORPORATED MIDDLE ISLAND

Milage

16.1909

Homestead

Yes

Property Usage

SINGLE FAM 000100

Deed Acres

0

Short Legal

LOT 4 IN OR 1080/940 THOMAS MANOR PB 3/37

2022 Certified Values

Land Value

\$100,000

(+) Improved Value

\$54,103

(=) Market Value

\$154,103

(-) Agricultural Classification

\$0

(-) SOH or Non-Hx* Capped Savings

\$34,338

(=) Assessed Value

\$119,765

(-) Homestead

\$25,000

(-) Additional Exemptions

\$0

(=) School Taxable Value

\$94,769

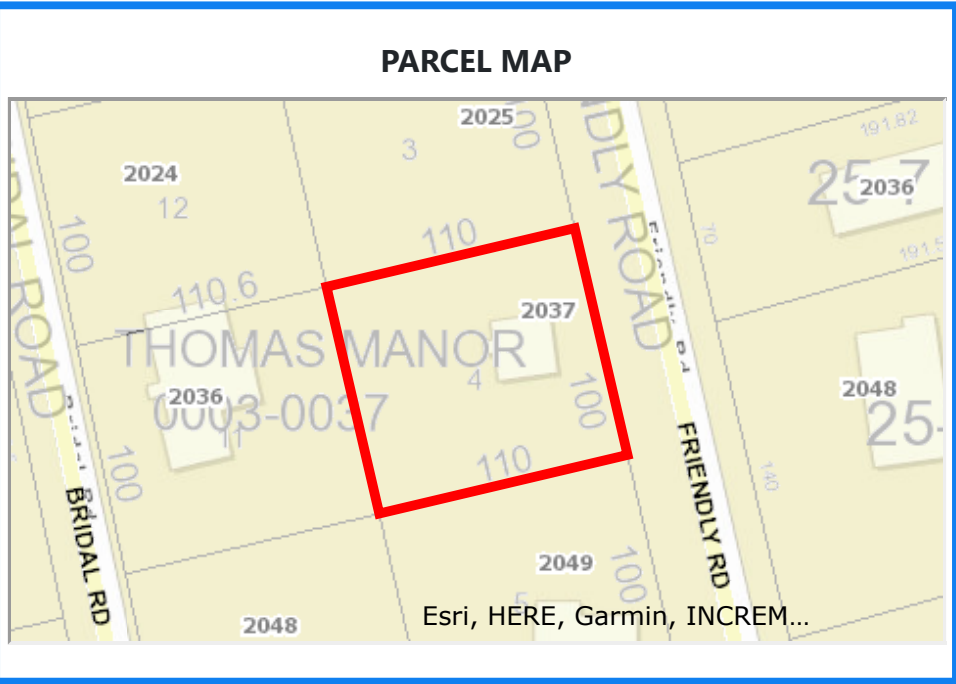
(-) Non-School HX & Other Exempt Value

\$25,000

(=) County Taxable Value

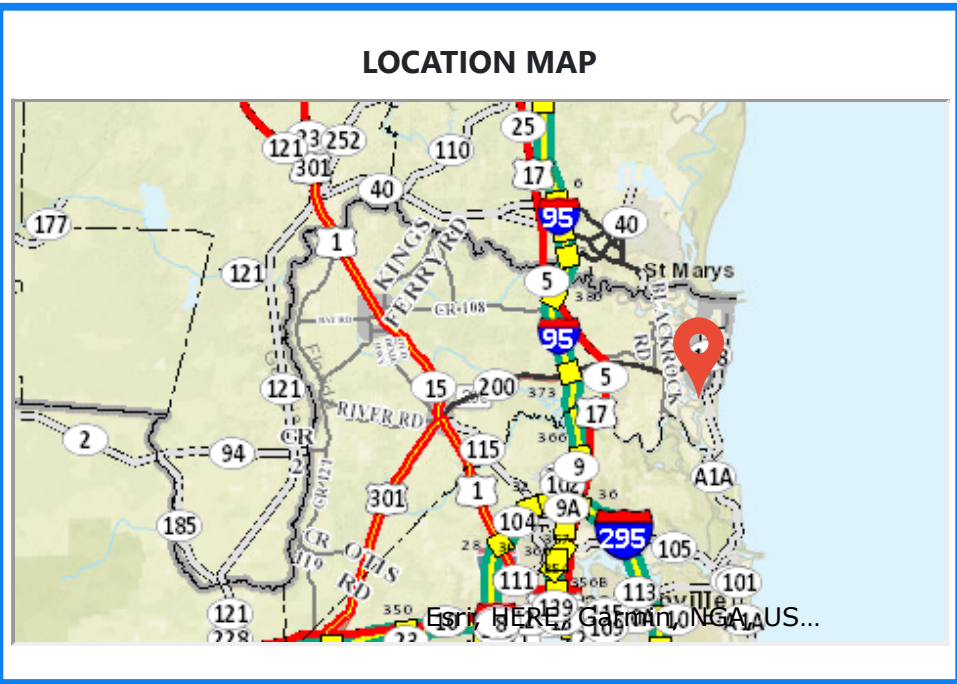
\$69,765

Note - *10% Cap does not apply to School Taxable Value



PROPERTY PHOTO

If this picture is incorrect, please email info@nassauflpa.com



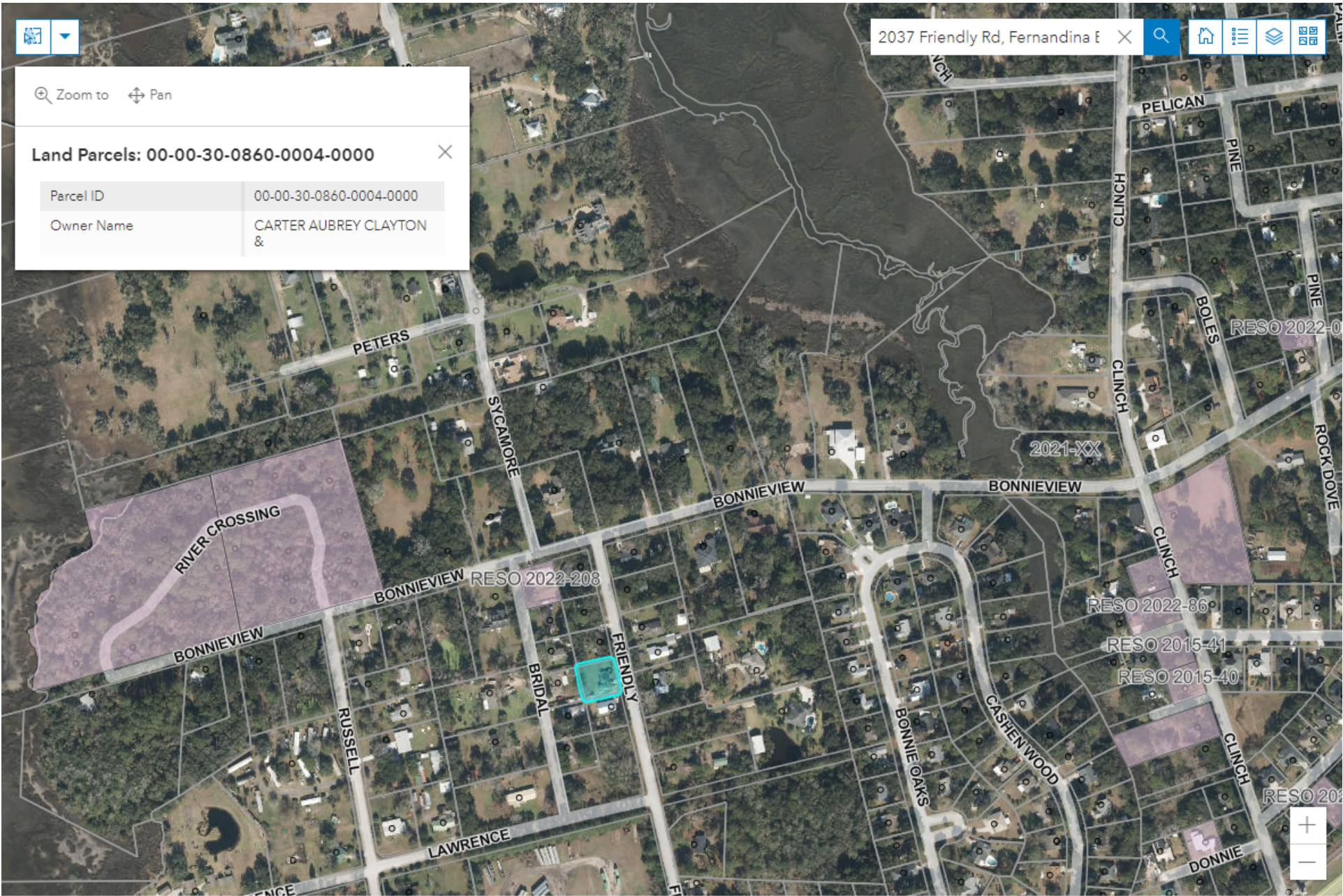
BUILDING INFORMATION									
Type	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built
SINGLE FAM	700	676	2	1	CONC BLOCK		AIR DUCTED	FORCED AIR	1960

MISCELLANEOUS INFORMATION				
Description	Dimensions L X W	Units	Year Built	
CONCRETE B	0 X 0	798	1998	

CONCRETE B	16 X 25	400	1998
SHED-04-PL	10 X 5	50	1998

SALES INFORMATION							
Sale Date	Book Page	Price	Instr	Qual	Imp	Grantor	Grantee
2021-12-30	2526 / 1144	\$100	QC	U	Y	BROWN MARIE C	BROWN MARIE C & AUBREY CLAYTON CARTER (JT/RS)
2002-09-11	1080 / 940	\$100	QC	U	Y	BROUCKE ADA MARIE CARTER	BROWN MARIE C
2002-05-02	1053 / 1187	\$100	QC	U	Y	BROUCKE ADA MARIE CARTER	BROWN MARIE C
1988-03-11	538 / 630	\$100	QC	U	Y	BROUCKE ADA & M J	BOURCKE ADA MARIE C
1983-10-01	402 / 121	\$15,800	WD	Q	Y		
1970-01-01	103 / 108	\$8,500	TA	U	Y		

2037 Friendly Road



CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2023-26
Facilities Use Agreement - Hagerty Events, LLC

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2023-26.

SYNOPSIS: The classic car insurance company, Hagerty Events, LLC, announced its acquisition of the Amelia Island Concours d'Elegance in the Summer of 2021. Under the ownership and operation of Hagerty Events, LLC, the Amelia Island Concours d'Elegance events have been rebranded as "The Amelia" and will return again in March of 2023. The events will be conducted from March 2nd through March 5th, 2023. Although "The Amelia" event is hosted at the Ritz Carlton, logistical support for the event has, in previous years, been provided by the City of Fernandina Beach through the use of Airport grounds for trailer and vehicle parking. The attached agreement outlines proposed use of airport property in support of 2023 events.

City staff will confirm receipt and adequacy of a certificate of insurance, listing the City of Fernandina Beach as additionally insured, prior to use of airport property by Hagerty Events, LLC.

FISCAL IMPACT: The fee for use of the Airport under this Facilities Use Agreement is \$15,600.00, to be deposited into the Airport Fund, Other Revenue account, 420 36990. Additionally, the Airport anticipates an additional \$5,000 as its share of revenue in support of parking operations on Airport property outlined within separate memorandum of agreement with the Experimental Aircraft Association, Chapter 943. These funds will also be deposited into the Airport Fund, Other Revenue account, 420 36990.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2023-26

Nathan Coyle, Airport Director	1/25/2023
Katie Newton, Legal Assistant	2/7/2023
Agnes White, Administrative Services Manager	2/7/2023
Pauline Testagrose, Comptroller	2/10/2023
Dale Martin, City Manager	2/10/2023
Tammi E. Bach, City Attorney	2/13/2023

Date: January 30, 2023

Submitted By: Nathan Coyle, Airport Director

COMMISSION ACTION: Adopt

RESOLUTION 2023-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, the Amelia Island Concours d’Elegance, now under the ownership and operation of Hagerty Events, LLC, has been rebranded as “The Amelia” and wishes to use property located at the Fernandina Beach Municipal Airport; and

WHEREAS, the Fernandina Beach Municipal Airport will be paid \$10,000, for the use of the area east of Runway 9/27 for parking (Area 2 depicted on Attachment 1 to the Facilities Use Agreement), \$5,000, for the use of Taxiway E for parking (Area 3 depicted on Attachment 1 to the Facilities Use Agreement), and \$600.00 for use of the airport terminal facility conference room and observation deck to conduct ticket will-call operations from March 1 through March 4, 2023; and

WHEREAS, additionally, the Airport will receive a portion of the parking fees related to vehicle parking fees for event attendees as follows: a fee of \$20.00 per vehicle and \$10.00 per motorcycle will be collected on Saturday, March 4, 2023, and \$20.00 per vehicle and \$10.00 per motorcycle on Sunday, March 5, 2023, with proceeds distributed among the Experimental Aircraft Association (EAA) and the City of Fernandina Beach; and

WHEREAS, the Airport use fees and parking fees collected will be deposited into the Airport Fund, Other Revenue account, 420 36990.

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

SECTION 1. The City Commission hereby approves the Facilities Use Agreement, attached hereto as Exhibit A, with Hagerty Events, LLC for use of Airport property for the auto event known as “The Amelia” in March of 2023.

SECTION 2. The City Commission hereby approves the methodology for the collection and distribution of parking fees collected during the auto events known as “The Amelia”.

SECTION 3. The City Clerk and City Manager are hereby authorized to execute the Facilities Use Agreement, upon review and approval of the City Attorney.

ADOPTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner – Mayor

ATTEST:

CAROLINE BEST
City Clerk

APPROVED AS TO FORM & LEGALITY:



TAMMI E. BACH
City Attorney

CITY OF FERNANDINA BEACH FACILITIES USE AGREEMENT

This FACILITIES USE AGREEMENT (herein after called the AGREEMENT) is made and entered into this 21st day of February, 2023, by and between the CITY OF FERNANDINA BEACH, a Florida municipal corporation, whose address is 204 Ash Street, Fernandina Beach, FL 32034 (herein called "CITY"), and **Hagerty Events, LLC.** whose address is **121 Drivers Edge, Traverse City, Michigan 49684** (herein called "USER").

WHEREAS, CITY owns, controls and operates that certain public facility known as the Fernandina Beach Municipal Airport (herein called "FACILITY"); and

WHEREAS, USER has expressed a desire to use said FACILITY for car parking of patrons attending the auto events known as "The Amelia" and for certain specific uses of the Airport in conjunction with the events being held on Amelia Island during the period of March 2 -5, 2023.

NOW, THEREFORE, the parties agree as follows:

1. USER shall be permitted to use the FACILITY from February 27 through March 6, 2023 for the event described above and as illustrated on the sketch at Exhibit 1 to this agreement.
2. CITY agrees to coordinate the parking arrangement and provide any setup materials required to facilitate parking in the designated parking areas. USER will provide portable toilet facilities.
3. USER shall pay CITY a fee of \$10,000.00 for use of the parking area located at the eastern end of Runway 9/27 for vehicle parking (Area 2 depicted on Exhibit 1), \$5,000.00 for use of the vehicle and trailer parking area located on Taxiway E (Area 3 depicted on Exhibit 1), and \$600.00 for rental of the airport's conference room and observation deck area to conduct event ticket will-call operations from 8 AM on Wednesday, March 1, 2023 through Noon on Saturday, March 4, 2023. USER shall also pay any and all applicable sales tax associated with the aforementioned fees. Additionally, CITY will have the right to collect a vehicle parking fee from patrons using the "North" parking portion of the FACILITY (Area 1 depicted on Exhibit 1) for patron vehicle parking of individuals attending "The Amelia" event (the fees of which are to be disbursed among the Experimental Aircraft Association and the City of Fernandina Beach Municipal Airport).
4. As condition to USER's right to use the facilities herein, USER agrees to and shall comply with the following:
 - a. USER shall not exclude any person from its services because of race, sex, age, religion, disability, national origin or other prohibited discrimination.
 - b. USER shall have competent, responsible, and able supervision on the premises at all times that its service is operational.
 - c. USER shall not interfere with emergency operations of CITY or other authorized users of the FACILITY.
 - d. USER shall keep premises in a clean and sanitary condition, and be responsible for cleanup on a daily basis and removal of temporary structures at the site upon completion of the event and returning property to same condition as when received.
 - e. CITY shall have the right, acting through its agents or employees, to enter upon the premise at reasonable hours and times for the purpose of making inspections.
 - f. USER will obtain all required Federal, State, County and City permits including any applicable fees.
 - g. USER shall not undertake any alterations or changes in the construction of the facility premises, without prior written consent of CITY.
 - h. USER agrees to assume liability for and indemnify, hold harmless, and defend the CITY, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, arising directly or indirectly out of or in connection with any negligent and/or deliberate act or omission of USER, its officers, employees, agents, and representatives. USER's liability hereunder shall include all attorney's fees and costs incurred by the CITY in the enforcement of this indemnification provision. This includes claims made by the employees

of USER against the CITY and USER hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement. Nothing contained in the foregoing indemnification shall be construed to be a waiver of any immunity or limitation of liability the CITY may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

- i. USER shall not rent, sublet, or assign space in the FACILITY premises without the prior written consent of CITY.
 - j. USER has priority over the portion of the FACILITY as described during the time agreed upon in this AGREEMENT, and can use specified areas during the time of this AGREEMENT.
 - k. CITY reserves the right to cancel this AGREEMENT at any time, without cause, by giving USER 30 days notice of such cancellation.
 - l. USER shall maintain liability insurance, in amounts as deemed necessary and appropriate by the City Attorney, show the CITY as additional insured thereon, and shall provide proof of it to CITY, upon commencement of this AGREEMENT, and thereafter, as required by CITY. USER will provide insurance on all their equipment being used in the FACILITY.
 - m. USER shall, at all times, abide by Federal, State, and local laws, in the operation of its programs or services at the FACILITY. Sale and/or consumption of alcohol not allowed on Airport property unless properly permitted by the City.
 - n. USER shall, at all times, enforce and follow current Centers for Disease Control and Prevention (CDC), local, State, and Federal COVID-19 policies and guidelines and physical distancing practices during execution of this event.
5. Force Majeure: Neither party shall be deemed in default of this Agreement to the extent that performance of its obligations or attempts to cure any breach are delayed or prevented by reason of any act of God, fire, natural disaster, riots or civil commotion, labor strikes, interruption or curtailment of transportation or communication facilities, work stoppages, epidemics, or act of government (each a "Force Majeure Event") provided that such party gives the other party written notice that it is unable to perform its obligation promptly upon discovery thereof and uses its commercial best efforts to cure the delay; and further provided that a Force Majeure Event shall delay, waive, or refund any payment outlined hereunder only if and to the extent the Force Majeure Event delays or makes void the payment obligation.
6. Term of Agreement: The term of the AGREEMENT is as noted in paragraphs 1 and 2 above, unless terminated sooner.

7. The addresses for giving notices are as follows:

USER: Hagerty Events, LLC
121 Drivers Edge
Traverse City, MI 49684

CITY: City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Attn: Airport Manager

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day and year first above written.

Hagerty Events, LLC

CITY OF FERNANDINA BEACH

By: _____
Timothy Pendergast
Its: Director of Operations

By: _____
Dale L. Martin
Its: City Manager

By: _____
Caroline Best
Its: City Clerk

APPROVED AS TO FORM AND LEGALITY:

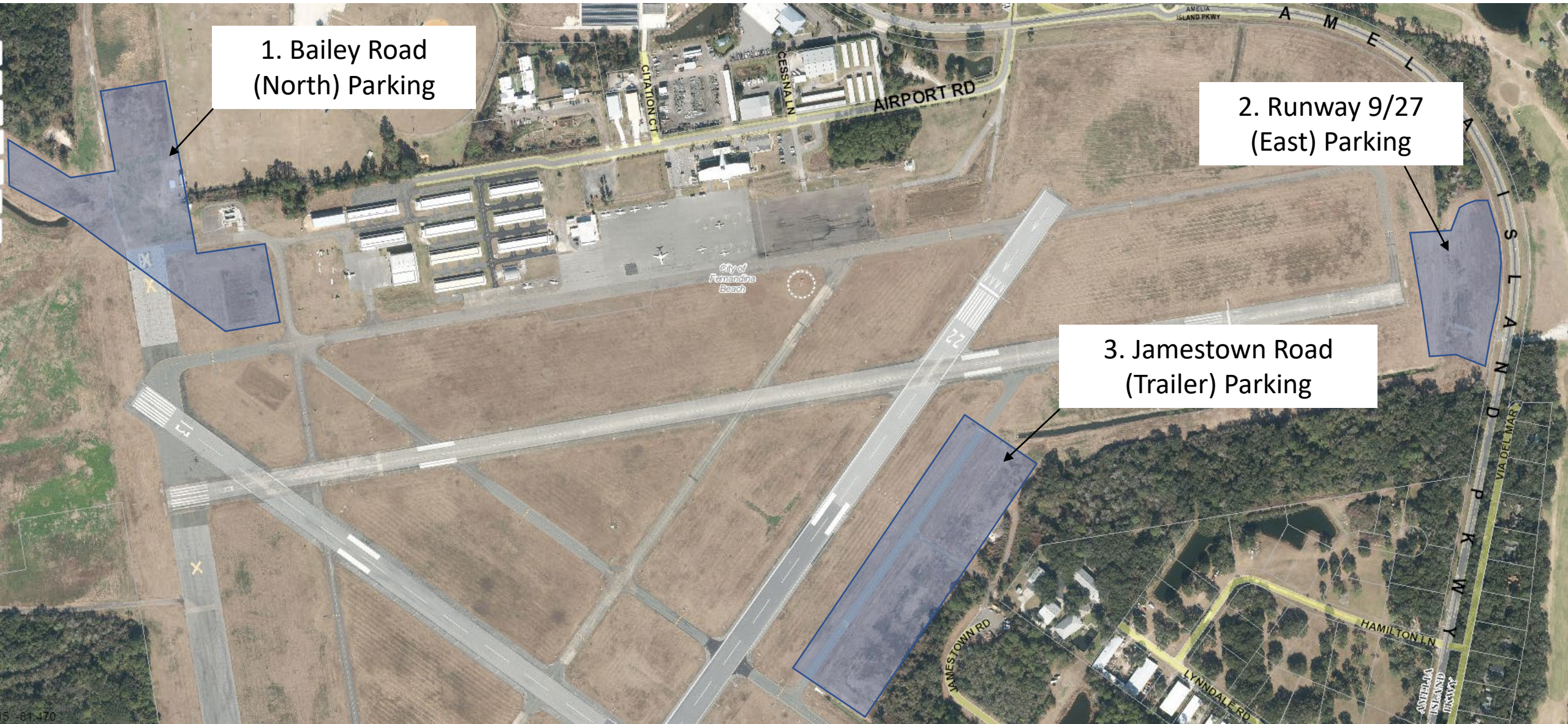
Tammi E. Bach

Its: City Attorney

Exhibit 1

Airport Property Use – “The Amelia”

**Resolution 2023-26
Attachment “1”**



1. Bailey Road
(North) Parking

2. Runway 9/27
(East) Parking

3. Jamestown Road
(Trailer) Parking

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution 2023-27
Facilities Use Agreement - Driving Dynamics, Inc.

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2023-27.

SYNOPSIS: The attached Facilities Use Agreement will provide for use of the remote parking pavement area between Runway 9/27 and Taxiway C (closed Runway 18/36) at the Fernandina Beach Municipal Airport for corporate driver safety training courses proposed on April 21 and 22, 2023.

The Fernandina Beach Municipal Airport will receive \$1,000.00 per day, plus applicable sales tax, for this use of Airport property.

FISCAL IMPACT: The fee for use of the Airport under this Facilities Use Agreement is \$1,000.00, plus applicable sales tax. Funds will be deposited into the Airport Fund, Other Revenue account, 420 36990.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2023-27.

Nathan Coyle, Airport Director	1/17/2023
Katie Newton, Legal Assistant	1/17/2023
Agnes White, Administrative Services Manager	2/7/2023
Pauline Testagrose, Comptroller	2/10/2023
Dale Martin, City Manager	2/10/2023
Tammi E. Bach, City Attorney	2/13/2023

A handwritten signature in blue ink, appearing to read 'N Coyle', is written over a light blue horizontal line.

Date: January 30, 2023

Submitted By: Nathan Coyle, Airport Director

COMMISSION ACTION: Adopt

RESOLUTION 2023-27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, Driving Dynamics, Inc. requests use of the Fernandina Beach Municipal Airport property to conduct corporate driver safety training April 21 and 22, 2023; and

WHEREAS, such use of Airport property will be the pavement area of remote parking area (closed Runway 18/36) between Runway 9/27 and Taxiway C, and such training activity will not affect normal operations of the Airport; and

WHEREAS, the Fernandina Beach Municipal Airport will receive \$1,000.00, plus applicable sales tax, for each day of use; and

WHEREAS, the designated monies will be deposited into the Airport Fund, Other Revenue account, 420 36990.

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

SECTION 1. The City Commission hereby approves a Facilities Use Agreement, attached hereto as Exhibit A, with Driving Dynamics, Inc. for defensive driver training at the Fernandina Beach Municipal Airport.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute said agreement, upon review and approval of the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

CITY OF FERNANDINA BEACH FACILITIES USE AGREEMENT

This FACILITIES USE AGREEMENT (herein after called the AGREEMENT) is made and entered into this 21st day of February, 2023, by and between the CITY OF FERNANDINA BEACH, a Florida municipal corporation, whose address is 204 Ash Street, Fernandina Beach, FL 32034 (herein called "CITY"), and Driving Dynamics Inc whose address 258 Chapman Road Suite 201 Newark, DE 19702 (herein called "USER").

WHEREAS, CITY owns, controls and operates that certain public facility known as the Fernandina Beach Municipal Airport (herein called "FACILITY"); and

WHEREAS, USER has expressed a desire to use said FACILITY to host an Advanced Corporate Safe Driving Program.

NOW, THEREFORE, the parties agree as follows:

1. USER shall be permitted to use the FACILITY described above for the purpose of hosting an Advanced Corporate Safe Driving Program.
2. USER will set up and use the FACILITY on a continuous basis during this period on Closed Runway 18/36 on Monday / April 21 and April 22, 2023 from 8 AM until 6 PM (EST).
3. USER shall pay CITY the sum of \$1,000.00, plus any applicable sales tax, for use of FACILITY during the period designated, payable with returning this signed AGREEMENT.
4. As condition to USER's right to use the facilities herein, USER agrees to and shall comply with the following:
 - a. USER shall not exclude any person from its services because of race, sex, age, religion, disability, national origin or other prohibited discrimination.
 - b. USER shall have competent, responsible, and able supervision on the premises at all times that its service is operational.
 - c. USER shall not interfere with emergency operations of CITY or other authorized users of the FACILITY.
 - d. USER shall keep premises in a clean and sanitary condition, and be responsible for cleanup on a daily basis and removal of temporary structures at the site upon completion of the event and returning property to same condition as when received.
 - e. CITY shall have the right, acting through its agents or employees, to enter upon the premise at reasonable hours and times for the purpose of making inspections.
 - f. USER will obtain all required Federal, State, County and City permits including any applicable fees.
 - g. USER shall not undertake any alterations or changes in the construction of the facility premises, without prior written consent of CITY.
 - h. USER agrees to assume liability for and indemnify, hold harmless, and defend the CITY, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, arising directly or indirectly out of or in connection with any negligent and/or deliberate act or omission of USER, its officers, employees, agents, and representatives. USER's liability hereunder shall include all attorney's fees and costs incurred by the CITY in the enforcement of

this indemnification provision. This includes claims made by the employees of USER against the CITY and USER hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement. Nothing contained in the foregoing indemnification shall be construed to be a waiver of any immunity or limitation of liability the CITY may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

- i. USER shall not rent, sublet, or assign space in the FACILITY premises without the prior written consent of CITY.
- j. USER has priority over the portion of the FACILITY as described during the time agreed upon in this AGREEMENT, and can use specified areas during the time of this AGREEMENT.
- k. CITY reserves the right to cancel this AGREEMENT at any time, without cause, by giving USER 30 days notice of such cancellation.
- l. USER shall maintain liability insurance, in amounts as deemed necessary and appropriate by the City Attorney, show the CITY as additional insured thereon, and shall provide proof of it to CITY, upon commencement of this AGREEMENT, and thereafter, as required by CITY. USER will provide insurance on all their equipment being used in the FACILITY.
- m. USER shall, at all times, abide by Federal, State, and local laws, in the operation of its programs or services at the FACILITY. Sale and/or consumption of alcohol not allowed on Airport property unless properly permitted by the City.
- n. USER shall, at all times, enforce and follow current Centers for Disease Control and Prevention (CDC), local, State, and Federal COVID-19 policies and guidelines and physical distancing practices during execution of this event.

5. Term of Agreement: The term of the AGREEMENT is as noted in paragraphs 1 and 2 above, unless terminated sooner.

6. The addresses for giving notices are as follows:

USER: Driving Dynamics, Inc
258 Chapman Road Suite 201
Newark, DE 19702
Attn: Paula Lanouette Logistics Manager

CITY: City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Attn: City Manager

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day and year first above written.

USER: DRIVING DYNAMICS, INC.

By: Paula Lanouette
Its: Logistics Manager

CITY OF FERNANDINA BEACH

By: _____
Dale L. Martin
Its: City Manager

By: _____
Caroline Best
Its: City Clerk

APPROVED AS TO FORM AND LEGALITY:

Tammi E. Bach
Its: City Attorney



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/18/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Insurance Associates, Inc. 525 State Route 33 Millstone Twp. NJ 08535	CONTACT NAME: Kristen Shatz PHONE (A/C, No, Ext): (732) 792-7000 E-MAIL ADDRESS: kshatz@lianet.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: National Fire & Marine Insurance Co INSURER B: National Liability & Fire Ins INSURER C: Evanston Insurance Company INSURER D: Travelers Insurance Co INSURER E: INSURER F:	NAIC # 20079 20052 35378 22224
INSURED Driving Dynamics 258 Chapman Rd Suite 201 Newark DE 19702		

COVERAGES**CERTIFICATE NUMBER:** 2022-23 Cert**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		72LPS043513	07/16/2022	07/16/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ INCLUDED Electronic Data Limit \$ 100,000
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY			73APB005616	07/16/2022	07/16/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 300,000
C	☐ UMBRELLA LIAB ☒ EXCESS LIAB ☒ DED ☐ RETENTION \$ 0			MKL7EUL102223	07/16/2022	07/16/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 4,000,000 EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ PER STATUTE ☒ OTH-ER
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	6JUB5R785432	04/09/2022	04/09/2023	E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Inland Marine/Equipment			6607J782858	07/01/2022	07/16/2023	Limit As Scheduled

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Fernandian Beach is included as additional insured if required in a written contract with our insured subject to the policy terms and conditions.

CERTIFICATE HOLDER**CANCELLATION**City of Fernandian Beach
204 Ash Street

Fernandina Beach

FL 32034

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Additional Named Insureds

Other Named Insureds

Driving Dynamics Inc

Doing Business As

Driving Dynamics Inc

Corporation

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2023-28
Proposal Approval - Area 6 Stormwater Improvements

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2023-28.

SYNOPSIS: The Area 6 Stormwater Improvements along Ash Street was approved and budgeted in fiscal year 2022/2023 and is known as Project #22013. Staff solicited a proposal from Thomas & Hutton, an approved Consultant Contract Negotiation Agreement (CCNA) Civil Engineering Consultant, to perform the Engineering and Design for the increasing of stormwater system capacity and reducing flooding within the area on Ash Street, who provided a proposal in the amount of \$81,750.

FISCAL IMPACT: Funding is available in the Stormwater Improvements account, 470 56300 Project #22013.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2023-28.

Andre Desilet, Stormwater Manager	2/3/2023
Agnes White, Administrative Services Manager	2/10/2023
Katie Newton, Legal Assistant	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Dale Martin, City Manager	2/14/2023
Tammi E. Bach, City Attorney	2/14/2023

Date: January 30, 2023

Submitted By: Antoinette Brown, Administrative Coordinator

COMMISSION ACTION: Adopt

RESOLUTION 2023-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, the City of Fernandina Beach has solicited a proposal from Thomas & Hutton, an approved Consultant Contract Negotiation Agreement (CCNA) Civil Engineering Consultant, to perform the Engineering and Design for Area 6 Stormwater improvements along Ash Street from 2nd Street to 5th Street; and

WHEREAS, the Area 6 Stormwater Improvements along Ash Street is an approved project (#22013) for the 2022-2023 budget; and

WHEREAS, Thomas & Hutton provided a proposal in the amount of \$81,750; and

WHEREAS, funding is available in the Stormwater Improvements account, 470 56300.

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

SECTION 1. The City Commission does hereby accept and approve the proposal from Thomas & Hutton totaling \$81,750.00, for the Area 6 Stormwater Improvements along Ash Street, attached hereto as Exhibit A.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute said agreement, upon review and approval of the City Attorney.

SECTION 3. This Resolution is effective immediately upon passage.

ADOPTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney



50 PARK OF COMMERCE WAY
SAVANNAH, GA 31405 | 912.234.5300
WWW.THOMASANDHUTTON.COM

January 18, 2023

Mr. Charles L. George, PE
Deputy City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

Re: Area 6 Stormwater Improvements
Fernandina Beach, Florida
Letter Agreement for Services

Dear Mr. George:

Thank you for requesting our consulting services for Area 6 Stormwater Improvements along Ash Street, Fernandina Beach, Florida. Area 6 Stormwater Improvements are generally outlined in the City of Fernandina Beach 2016 Stormwater Master Plan Update. Pursuant to the Request for Proposal, the project limits are generally defined as follows:

- Ash Street – South Front Street to 5th Street
- 2nd Street from Centre Street to one-half block south of Ash Street
- 3rd Street from Centre Street to one-half block south of Ash Street
- 4th Street from Centre Street to Ash Street

The project is being undertaken to increase stormwater system capacity and reduce flooding within the area.

Our services will consist of the Pre-Design Phase, Final Engineering and Design Phase, Permit Preparation and Submittal Assistance Phase and Bid Assistance Phase, as set forth in the General Provisions and supplemental exhibits attached hereto, and such additional services as you may request during the course of the Project. We understand that you will furnish Thomas & Hutton with full information as to your requirements, including any special or extraordinary considerations for the Project and will make all pertinent existing data available to us.

Payment for our services will be as described in the attached General Provisions. You will be billed monthly for our services rendered and for Reimbursable Expenses.

CLIENT'S INITIALS

KMS

CONSULTANT'S INITIALS

Mr. Charles L. George, PE
Deputy City Manager
City of Fernandina Beach
Letter Agreement for Services
January 18, 2023
Page 2

We propose that payment for our services will be as follows:

<u>Phase</u>	<u>Fee Structure</u>	<u>Fee or Time & Expense Budget</u>
Pre-Design Phase:		
General Consulting:		
Investigation:	Time & Expense – Budget	\$ 5,000.00
Survey:	Lump Sum	\$ 16,500.00
Final Engineering & Design:		
Stormwater Management Report:	Lump Sum	\$ 8,500.00
Engineering Design:	Lump Sum	\$ 33,250.00
Permit Preparation & Submittal Assistance Phase:		
Fernandina Beach Permit:	Time & Expense – Budget	\$ 2,500.00
SJWMD General Permit:	Time & Expense – Budget	\$ 7,500.00
CSX Railway Encroachment:	Time & Expense – Budget	\$ 7,500.00
Reimbursable Expenses:	Time & Expense – Budget	\$ 1,000.00
Additional Services:	Time & Expense – See Consulting Services Rate Sheet	

The above fee arrangements are based on prompt payment of our invoices and the orderly and continuous progress of the Project through completion.

It is necessary that you advise us in writing at an early date if you have budgetary limitations for the overall Project cost or Construction Cost. We will endeavor to work within those limitations. At appropriate times during the Design Phase, we can submit to you our opinions as to the probable Construction Cost of the Project. We do not guarantee that our opinions will not differ materially from bids or negotiated prices.

This proposal between the City of Fernandina Beach ("Client"), and Thomas & Hutton Engineering Co. ("Consultant" or "Thomas & Hutton"), consisting of the Scope of Services, General Provisions, Consulting Services Rate Sheet, and this Letter Agreement with authorizing signatures, represents the entire understanding between Client and Thomas & Hutton with respect to the Project. This Letter Agreement may only be modified if completed in writing and signed by both parties.

If the arrangements set forth in this Letter Agreement are acceptable to you, **please sign and initial the enclosed documents in the spaces provided below and return to Thomas & Hutton**. This proposal will be open for acceptance until March 30, 2023, unless changed by Thomas & Hutton in writing. We appreciate the opportunity to prepare this proposal and look forward to working with you on the Project.

CLIENT'S INITIALS



CONSULTANT'S INITIALS

Mr. Charles L. George, PE
Deputy City Manager
City of Fernandina Beach
Letter Agreement for Services
January 18, 2023
Page 3

The parties agree and acknowledge that this Agreement may be executed by electronic signature, and the parties may rely upon such electronic signatures as an original record of signature.

Respectfully,

THOMAS & HUTTON ENGINEERING CO.

By _____
Charles J. Ezelle, PE
Principal / Regional Director

By _____
Kevin M. Smith, PE, CFM
Principal / Water Resources Group Leader

KMS/kts

Enclosures: Scope of Services
General Provisions
Consulting Services Rate Sheet

CITY OF FERNANDINA BEACH

ACCEPTED: _____, 2023

By _____

TITLE

CLIENT'S INITIALS

_____
CONSULTANT'S INITIALS

SCOPE OF SERVICES

Thomas & Hutton will provide consulting services for Area 6 Stormwater Improvements along Ash Street, Fernandina Beach, Florida. Area 6 Stormwater Improvements are generally outlined in the City of Fernandina Beach 2016 Stormwater Master Plan Update. Pursuant to the Request for Proposal, the project limits are generally defined as follows:

- Ash Street – South Front Street to 5th Street
- 2nd Street from Centre Street to one-half block south of Ash Street
- 3rd Street from Centre Street to one-half block south of Ash Street
- 4th Street from Centre Street to Ash Street

The project is being undertaken to increase stormwater system capacity and reduce flooding within the area.

1. SCOPE OF SERVICES

A. Pre-Design (General Consulting)

1. Investigations

Consultant shall visit the site to document existing site conditions and perform field reconnaissance to become familiar with the existing stormwater system and streetscapes. Consultant shall provide a narrative with photographic documentation of field reconnaissance for the project file documenting pre-design/construction conditions in PDF format.

2. Survey Phases

Consultant has retained the services of Manzie & Drake Land Surveying to provide surveying services for the project. Surveying scope of work includes the following:

- Topographic survey, including vertical and horizontal locations and elevations from right-of-way to right-of-way of the project corridor.
- Horizontal and vertical locations of above ground utilities and visible evidence of underground utilities.
- Sewer system structures, pipe inverts, pipe diameter and structure inverts.
- Stormwater structures pipe inverts, pipe diameter and structure inverts.
- Horizontal and vertical locations of trees within the corridor. Tree survey is to include diameter at breast height and tree species. Tree survey will be conducted and locate trees in accordance with Fernandina Beach regulations.

Utility locations will be based on above ground evidence only. Subsurface utility engineering is excluded from the scope of service.

CLIENT'S INITIALS

KMS
CONSULTANT'S INITIALS

B. Final Engineering & Design

1. Stormwater Management Report

Using the base model provided by City staff, Consultant will prepare the project specific stormwater model and study. Consultant will use SCS methodologies to determine hydrologic parameters, including time of concentration, curve numbers and rainfall/runoff rates. A digital elevation model provided by the City and field reconnaissance will be used for basin delineation. System improvements will be simulated for the 4% annual exceedance storm event (9.80 inches (NOAA Atlas 14)) over 24 hours. Consultant shall include proposed stormwater main under the CSX railroad crossing, mechanical separator and backflow prevention. Proposed improvements to be confirmed include structures, pipe diameters, inverts, and pipe routing. Consultant shall deliver an updated ICPR4 hydrologic and hydraulic model and stormwater report including narrative on project approach, methodology, results, exhibits and supporting documentation.

2. Engineering Design Phase

After completion of Pre-design Phase, the Consultant will prepare construction plans for the proposed drainage improvements. These plans will be submitted to Client at 50% and 90% completion for discussion and review. The construction plans will include the following:

- Grading –finish contours, parking lot, and grading information.
- Roadway – centerline geometry, stationing, and elevations.
- Drainage – structure location, pipe route and size, inverts and slopes and stormwater profiles.
- Water Distribution relocations, if required*.
- Sanitary Sewer systems relocations, if required*.
- Erosion Control – for roadway, drainage, water, and sewer systems
- Construction Details – roads, drainage, water distribution, sanitary sewer, and erosion control.
- Quantity Takeoff and Opinion of Probable Construction Cost for water systems, sewer systems, drainage systems and roads.
- Technical specifications for water, clearing, earthwork, sewer, drainage systems, and roads.

*Any water and sewer relocation anticipated are minor and will not require removal and replacement of 20 linear feet of pipe at each area of conflict. Addition design effort of water and sewer relocations may incur additional fee. Consultant will notify Client as soon as possible upon recognizing this issue, should it occur.

It is anticipated that pavement will be removed and replaced for the trench only. Should full road repaving be required, Client should notify Consultant prior to commencement of design. Submittals to Client for discussion and review will occur at 50% and 90% plan completion stages.

C. Permit Phases

1. Permit Phase

Consultant will assist Client with the preparation of submittal packages for the development approval. The payment of fees associated with the application process is the responsibility of Client. Consultant will submit final plans and specifications to the applicable local, state, and federal agencies for review. Agency submittals anticipated for this Project include:

- City of Fernandina Beach - Technical Review Committee, Right-of-way permit – informal submittal by City stormwater staff.
- St. Johns Stormwater Management District General Permit Notice of Intent (Premised on validity of SJWMD Permit No. 165699-1)
- CSX Rail Encroachment Permit for pipe placement under rail.

Submittal fees are **not** included in our fee schedule and must be provided by Client at the time of submittal. Consultant will assist Client in obtaining construction permits for the Project. This phase includes revising plans and specifications according to regulating agency comments one (1) time and, if requested, meeting with the agencies on behalf of Client one (1) time.

D. Exclusions

Unless a specific scope is included in this Agreement, these items are **not** included in the Scope of Services:

- Jurisdictional line survey and easement plats
- Subdivision surveys and staking
- Subsurface utility engineering
- 2D hydrologic and hydraulic modeling
- Landscape, structural, electrical design
- Bid & construction services
- Accessibility construction compliance verification
- Archaeological survey and report, unless specific scope is included in the Agreement
- Wetland/salt marsh delineation, surveys, or permits
- Geotechnical investigation or report, unless specific scope is included in the Agreement
- Phase One or Phase Two Environmental Assessments
- Endangered species survey and report
- Interior Courtyard Design
- Off-site work unless specifically covered in the Scope of Services
- Approvals or permits other than those related to the Scope of Services covered by this Agreement
- Act as an expert witness for legal activities
- Florida Department of Transportation permits or approvals
- Telephones, cable television, gas, and power distribution systems

These items can be coordinated or provided, if requested by Client in writing.

CLIENT'S INITIALS

KMS

CONSULTANT'S INITIALS

2. **PERIODS OF SERVICE**

A. **Pre-Design Phase**

After receipt of a written notice to proceed from Client, Consultant will commence work within five (5) business days after receipt and complete work described in this phase within thirty (30) business days.

B. **Final Engineering & Design Phase**

After completion of the Pre-Design Phase, Consultant will commence work within five (5) business calendar days after receipt and complete work described in this phase within forty (40) business days.

C. **Permit Phase**

After Owner review of the 90% submittal, Consultant will commence work within five business days and complete application submittal within fifteen (15) business days. Consultant does not have control over regulatory agency review time and as a result, cannot commit to a date by which permit approvals will be received.

CLIENT'S INITIALS

KMS

CONSULTANT'S INITIALS

PAYMENT FOR SERVICES

For services rendered, CLIENT shall pay CONSULTANT as outlined in the Letter Agreement for Services.

Payment for services on the basis of "Time & Expense" shall be paid according to the Consulting Services Rate Sheet attached hereto.

Project related costs for printing, reproductions, materials, and travel will be billed as reimbursable expenses.

Projects will be billed monthly or at the completion of the work, whichever comes sooner, with payment due upon receipt. Payment will be considered overdue after forty-five (45) days from date of invoice, with interest charged at a monthly rate of 1.5 percent (18 percent annual rate).

CONSULTANT reserves the right to suspend work hereunder or any other work to be performed by CONSULTANT for CLIENT or any of its affiliates under a separate agreement or agreements with CONSULTANT in the event of delinquent payment by CLIENT to CONSULTANT hereunder or in the event of delinquent payment by CLIENT or its affiliates to CONSULTANT under a separate agreement or agreements. For all purposes hereof, affiliate means (i) in the case of an individual, any relative of any person listed among the following, (ii) any officer, director, trustee, partner, manager, employee or holder of 5 percent or more of any class of the voting securities of or equity interest in CLIENT; (iii) any corporation, partnership, limited liability company, trust, or other entity controlling, controlled by, or under common control with CLIENT; or (iv) any officer, director, trustee, partner, manager, employee, or holder of 5 percent or more of the outstanding voting securities of any corporation, partnership, limited liability company, trust, or other entity controlling, controlled by, or under common control with CLIENT.

In the event legal action is necessary to enforce the payment terms of this Agreement, CONSULTANT will be entitled to collect from CLIENT any judgment or settlement sums due, plus reasonable attorneys' fees, court costs, and other expenses incurred by CONSULTANT for such collection action, and, in addition, the reasonable value of CONSULTANT's time and expenses spent for such collection action, computed according to CONSULTANT's prevailing fee schedule and expense policies.

ASSIGNMENT

Neither party to this Agreement may transfer, sublet, or assign any rights or duties under or interest in this Agreement, including but not limited to monies that are due or monies that may be due, without the prior written consent of the other party. Subcontracting to subconsultants, normally contemplated by CONSULTANT as a generally accepted business practice, is not considered an assignment for purposes of this Agreement.

CLIENT'S RESPONSIBILITIES

A. Access

CLIENT shall make provisions for CONSULTANT to enter upon public and private lands as required to perform such work as surveys and inspections in development of the Project.

B. CLIENT's Representative

CLIENT shall designate in writing one person to act as CLIENT's Representative with respect to the work to be performed under this Agreement. This Representative will have complete authority to transmit instructions, receive information, and interpret and define CLIENT's policy and decisions, with respect to the product, materials, equipment, elements, and systems pertinent to the work covered by this Agreement.

C. Fees

CLIENT is responsible for payment of fees associated with the project. Such fees include permit review and application fees, impact fees, and capacity fees. CONSULTANT will notify CLIENT regarding the amount of fees and timing of payment.

CONSULTANT'S RESPONSIBILITIES

In providing services under this Agreement, CONSULTANT will perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality. No other representation expressed or implied, and no warranty or guarantee is included or intended in the Agreement, or in any report, opinion, document, or otherwise.

OWNERSHIP OF INSTRUMENTS OF SERVICE

All reports, drawings, specifications, computer files, electronic files, BIM models, field data, notes and other documents and instruments prepared by CONSULTANT as instruments of service remain the property of CONSULTANT. CONSULTANT retains all common law, statutory, and other reserved rights, including, without limitation, the copyrights thereto. CONSULTANT will retain these records for a period of two (2) years following their completion during which period paper copies will be made available to CLIENT at reasonable times.

ELECTRONIC FILES

In accepting and utilizing any drawings, reports, and data on any form of electronic media generated and furnished by CONSULTANT, CLIENT agrees that all such electronic files are instruments of service of CONSULTANT, who will be deemed the author, and will retain all common law, statutory law, and other rights, without limitation, including copyrights.

CLIENT agrees not to reuse these electronic files, in whole or in part, for any purpose other than for the Project. CLIENT agrees not to transfer these electronic files to others without the prior written consent of CONSULTANT. CLIENT further agrees to waive all claims against CONSULTANT resulting in any way from any unauthorized changes to or reuse of the electronic files for any other project by anyone other than CONSULTANT.

CLIENT is aware that differences may exist between the electronic files delivered and the printed hard-copy construction documents. In the event of a conflict between the signed construction documents prepared by CONSULTANT and electronic files, the signed or sealed hard-copy construction documents will govern.

In addition, CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CONSULTANT, its officers, directors, employees, and subconsultants (collectively, CONSULTANT) against all damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, arising from any changes made by anyone other than CONSULTANT or from any reuse of the electronic files without the prior written consent of CONSULTANT.

Under no circumstances will delivery of electronic files for use by CLIENT be deemed a sale by CONSULTANT, and CONSULTANT makes no warranties, either express or implied, of merchantability and fitness for any particular purpose. In no event will CONSULTANT be liable for indirect or consequential damages as a result of CLIENT's use or reuse of the electronic files.

CERTIFICATIONS, GUARANTEES, AND WARRANTIES

CONSULTANT will not be required to sign any documents, no matter by whom requested, that would result in CONSULTANT having to certify, guarantee, or warrant the existence of conditions whose existence CONSULTANT cannot ascertain, or any way might, in the sole judgment of CONSULTANT, increase CONSULTANT's contractual or legal obligations or risks, or adversely affect the availability or cost

CLIENT'S INITIALS

 CONSULTANT'S INITIALS

of its professional or general liability insurance. CLIENT also agrees not to make resolution of any dispute with CONSULTANT or payment of any amount due to CONSULTANT in any way contingent upon CONSULTANT signing any such certification.

ACCESSIBILITY

CLIENT acknowledges that the requirements of the Americans with Disabilities Act (ADA), Fair Housing Act (FHA) and other federal, state, and local accessibility laws, rules, codes, ordinances, and regulations will be subject to various and possibly contradictory interpretations. CONSULTANT, therefore, will use reasonable professional efforts and judgment to interpret applicable accessibility requirements in effect as of the date of the execution of this Agreement and as they apply to the Project. CONSULTANT, however, cannot and does not warrant or guarantee that CLIENT's Project will comply with all interpretations of the accessibility requirements and/or the requirements of other federal, state, and local laws, rules, codes, ordinances, and regulations as they apply to the Project. Any changes in the applicable law or contrary interpretations of existing law subsequent to the issuance of permits that requires CONSULTANT to perform redesign will be considered an additional service.

SUBSTITUTIONS

Upon the written request or direction of CLIENT, CONSULTANT will evaluate and advise CLIENT with respect to proposed or requested changes in materials, products, or equipment. CONSULTANT will be entitled to rely on the accuracy and completeness of the information provided in conjunction with the requested substitution. CONSULTANT will not be responsible for errors, omissions, or inconsistencies in information by others or in any way resulting from incorporating such substitution into the Project. CLIENT will be invoiced for this service on a Time & Expense basis unless both parties mutually agree on a lump sum fee.

OPINIONS OF PROBABLE COSTS

Since CONSULTANT has no control over the cost of labor, materials, or equipment, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, opinions of probable construction costs provided for herein are to be made on the basis of experience and qualifications. These opinions represent CONSULTANT's best judgment as a design professional familiar with the construction industry.

However, CONSULTANT cannot and does not guarantee that proposals, bids, or the construction cost will not vary from opinions of probable construction costs prepared by CONSULTANT.

BETTERMENT

If, due to CONSULTANT's negligence, a required item or component of the Project is omitted from CONSULTANT's construction documents, CONSULTANT will not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been required and included in the original construction documents. In no event will CONSULTANT be responsible for any cost or expense that provides betterment, upgrades, or enhances the value of the Project.

CHANGED CONDITIONS

If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to CONSULTANT are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks, or other material terms of this Agreement, CONSULTANT may call for renegotiation of appropriate portions of this Agreement. CONSULTANT shall notify CLIENT of the changed conditions necessitating renegotiation, and CONSULTANT and CLIENT shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has

the absolute right to terminate this Agreement in accordance with the Termination provision hereof.

CODE COMPLIANCE

CONSULTANT shall exercise usual and customary professional care in its efforts to comply with applicable laws, codes, and regulations in effect as of the date this agreement was written. Design changes made necessary by newly enacted laws, codes, and regulations after this date will entitle CONSULTANT to a reasonable adjustment in the schedule and additional compensation in accordance with the Additional Services provisions of this Agreement.

In the event of a conflict between laws, codes, and regulations of various governmental entities having jurisdiction over the Project, CONSULTANT shall notify CLIENT of the nature and impact of such conflict. CLIENT agrees to cooperate and work with CONSULTANT in an effort to resolve this conflict.

VALUE ENGINEERING

(If) CLIENT has elected to engage in value engineering of the Project, CLIENT has established cost as a primary project objective over other programming, performance, and aesthetic objectives and recognizes that in doing so, it has limited the available design and product options. These limitations may impact the overall project cost, schedule, and performance. CLIENT has accepted these risks and impacts in recognition of the importance it has placed on project cost.

DELEGATED DESIGN

Where any design services are provided by persons or entities not under CONSULTANT's direct control, CONSULTANT's role will be limited to its evaluation of the general conformance with the design intent and the interface with CONSULTANT's design and portion of the Project. Except to the extent, it is actually aware of a deficiency, error, or omission in such design by others, CONSULTANT will have no responsibility for such design and may rely upon its adequacy, accuracy, and completeness in all respects.

LIMITS OF LIABILITY

Nothing contained in this Agreement will create a contractual relationship with or a cause of action in favor of a third party against either CLIENT or CONSULTANT. CONSULTANT's services under this Agreement are being performed solely for CLIENT's benefit, and no other party or entity will have any claim against CONSULTANT because of this Agreement or the performance or nonperformance of services hereunder. CLIENT and CONSULTANT agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors, and other entities involved in this Project to carry out the intent of this provision.

To the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability, in the aggregate, of CONSULTANT and CONSULTANT's officers, directors, partners, employees, and sub-consultants, and any of them, to CLIENT and anyone claiming by or through CLIENT (including, but not limited to construction contractors & subcontractors), for any and all claims, losses, costs, or damages, including attorneys' fees and costs and expert-witness fees and costs of any nature whatsoever or claims expenses resulting from or in any way related to the Project or the Agreement from any cause or causes shall not exceed **\$100,000 or CONSULTANT's fee for services rendered, under this Agreement, whichever is greater. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law. This liability cap may be increased by mutual consent of both parties and in exchange for additional compensation.**

It is our understanding CLIENT has elected to exclude Construction Observation and Monitoring from this contract. Based on this understanding, CLIENT assumes all responsibility for interpretation of

CLIENT'S INITIALS



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the documents and for construction observation and supervision activities and waives any claims against CONSULTANT that may in any way connected thereto. In addition, CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CONSULTANT from any loss, claim, or cost including reasonable attorneys' fees resulting from the performance of such services by other persons or entities and all claims arising from clarifications, interpretations, or changes made to the contract documents or work specified therein to reflect field or other changes made except for sole negligence or willful misconduct of CONSULTANT. Any requests for specific construction observation services and agreed to by CONSULTANT will be paid as Additional Services by CLIENT.

TIME BAR TO LEGAL ACTION

All legal actions by either party against the other arising out of or in any way connected with this Agreement or the services to be performed hereunder will be barred and under no circumstances will any such legal action be initiated by either party after five (5) years from the date of Substantial Completion, unless this Agreement is terminated earlier, in which case the date of termination of this Agreement will be the date on which such period commences. Nothing in this Agreement is construed to waive any protections granted under existing laws of the state in which the work is performed.

ACTS OF OTHERS

CONSULTANT will not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by contractor(s) or the safety precautions and programs incident to the work of contractor(s). CONSULTANT will not be responsible for the failure of contractor(s) to perform the work in accordance with the Contract Documents.

CONSULTANT will not be responsible for the acts or omissions of any contractor, or sub-contractor, or any of the contractor(s)', or sub-contractor(s)' agents, or employees or any other persons (except CONSULTANT's own employees and agents) at the site or otherwise performing any of the contractor(s)' work. However, nothing contained herein will be construed to release CONSULTANT from liability for failure to perform properly the duties undertaken by CONSULTANT in the Contract Documents.

CONSULTANT will not be responsible for the acts, omissions, means, methods, or specifications of other design professionals not directly retained by CONSULTANT. **Unless specifically stated otherwise, CONSULTANT's work and responsibility under this Agreement terminates at the building pad or within five (5) feet of the building, whichever is greater, for any proposed building shown on the plans. CLIENT/Architect/Contractor is responsible for compliance with codes, regulations, manufacturer specifications, and construction methods related to the building structure. In no circumstance is CONSULTANT responsible for any portion of the building, especially as it relates to moisture or mold.**

INDEMNIFICATION

CONSULTANT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CLIENT, its officers, directors, and employees (collectively, CLIENT) against all damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, to the extent caused by CONSULTANT's negligent performance of professional services under this Agreement and that of its subconsultants or anyone for whom CONSULTANT is legally liable.

CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CONSULTANT, its officers, directors, employees, and subconsultants (collectively, CONSULTANT) against all damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, to the extent caused by CLIENT's negligent acts in connection with the Project and the acts of its contractors, subcontractors, or consultants or anyone for whom CLIENT is legally liable.

Neither CLIENT nor CONSULTANT will be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence or for the negligence of others.

CONSEQUENTIAL DAMAGES

Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither CLIENT nor CONSULTANT, their respective officers, directors, partners, employees, contractors, or subconsultants will be liable to the other or will make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages includes, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation, and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract, and breach of strict or implied warranty. Both CLIENT and CONSULTANT shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

INSURANCE

Consultant will provide and maintain, until the services are completed and accepted by Client, the following minimum insurance coverage:

- (1) **Workers' Compensation – As per Statutory requirements.**
- (2) **Employer's Liability – \$1,000,000 per occurrence and \$2,000,000 in aggregate.**
- (3) **Commercial General Liability – \$1,000,000 per occurrence and \$2,000,000 in aggregate.**
- (4) **Automobile Liability – \$1,000,000 per occurrence and \$2,000,000 in aggregate.**
- (5) **Professional Liability – \$1,000,000 per claim and \$2,000,000 in aggregate.**

Any insurance on a "claims made" basis will be maintained for three (3) years after completion of the Services or any period required by this Agreement, whichever is longer. Consultant will include these minimum insurance requirements in its subcontracts.

DISPUTE RESOLUTION

Any dispute or claim arising out of or relating to this Agreement will be determined as follows: CONSULTANT and CLIENT will negotiate in good faith to reach agreement. If negotiations are unsuccessful, CONSULTANT and CLIENT agree the dispute will be settled by mediation. In the event the dispute or any issues remain unresolved after the above steps, the disagreement will be decided by such remedies of law as they are available to the parties. The appointment of a mediator and location will be subject to agreement between CONSULTANT and CLIENT with each party being responsible for their portion of those costs.

JOBSITE SAFETY

Neither the professional activities of CONSULTANT, nor the presence of CONSULTANT or its employees and subconsultants at a project site, imposes any duty on CONSULTANT, nor relieve a general contractor of its obligations, duties, and responsibilities including, but not limited to, construction means, methods, sequence, techniques, or procedures necessary for performing, superintending, and coordinating the work in accordance with the Contract Documents and any health or safety precautions required by any regulatory agencies. CONSULTANT and its personnel have no authority to exercise any control over any contractor or its employees in connection with their work or any health or safety programs or

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 CONSULTANT'S INITIALS

procedures. CLIENT agrees that the general contractor will be solely responsible for jobsite and worker safety and warrants that this intent will be carried out in CLIENT's contract with the general contractor. CLIENT also agrees that the general contractor will indemnify and hold harmless CLIENT, CONSULTANT, and CONSULTANT's subconsultants. CLIENT also agrees that CLIENT, CONSULTANT, and CONSULTANT's subconsultants will be made additional insureds under the general contractor's policies of general liability insurance.

DELAYS

CLIENT agrees that CONSULTANT is not responsible for damages arising directly or indirectly from any delays for causes beyond CONSULTANT's control. For purposes of this Agreement, such causes include, but are not limited to, strikes or other labor disputes; severe weather disruptions or other natural disasters or acts of God; fires, riots, war, or other emergencies; failure of any government agency to act in timely manner; failure of performance by CLIENT or CLIENT'S contractors or consultants; or discovery of any hazardous substances or differing site conditions.

In addition, if the delays resulting from any such causes increase the cost or time required by CONSULTANT to perform its services in an orderly and efficient manner, CONSULTANT will be entitled to a reasonable adjustment in schedule and compensation.

HAZARDOUS MATERIAL

Both parties acknowledge that CONSULTANT's Scope of Services does not include any services related to the presence of any hazardous or toxic materials and/or mold. In the event CONSULTANT or any other person or entity involved in the project, encounters any hazardous or toxic materials and/or mold, or should it become known to CONSULTANT that such materials may be present on or about the jobsite or any adjacent areas that may affect the performance of CONSULTANT's services, CONSULTANT may, at its sole option and without liability for consequential or any other damages, suspend performance of its services under this Agreement until CLIENT retains appropriate qualified consultants and/or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the jobsite is in full compliance with all applicable laws and regulations.

CLIMATE CHANGE

In no event will CONSULTANT be responsible or liable for any failure or delay in the performance of its obligations or impact to the project in any way hereunder arising out of or caused by, directly or indirectly, climate change, including but not limited to sea level rise.

APPLICATIONS FOR PERMITS AND CERTIFICATES REQUESTED ON BEHALF OF CLIENT

CLIENT shall indemnify and hold harmless CONSULTANT from and against any and all judgments, losses, damages, and expenses (including attorney's fees and defense costs) arising from or related to claims by third parties to challenge the issuance of permits or certificates for the Project by agencies with jurisdiction over the project. Defense costs include the time and expenses of

CONSULTANT's personnel to assist in the defense of the issuance of the permit or certificate.

TERMINATION

In the event of termination of this Agreement by either party, within fifteen (15) calendar days of termination CLIENT shall pay CONSULTANT for all services rendered and all reimbursable costs incurred by CONSULTANT up to the date of termination, in accordance with the payment provisions of this Agreement.

Either party may terminate this Agreement for the convenience and without cause upon giving the other party not less than fifteen (15) calendar days' written notice.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for any of the following reasons:

- Substantial failure by the other party to perform in accordance with the terms of this Agreement and through no fault of the terminating party;
- Assignment of this Agreement or transfer of the Project by either party to any other entity without the prior written consent of the other party;
- Suspension of the Project or CONSULTANT's services by CLIENT for more than ninety (90) calendar days, consecutive or in the aggregate;
- Material changes in the conditions under which this Agreement was entered into, the Scope of Services or the nature of the Project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

In the event of any termination that is not the fault of CONSULTANT, CLIENT shall pay CONSULTANT, in addition to payment for services rendered and reimbursable costs incurred, for all expenses reasonably incurred by CONSULTANT in connection with the orderly termination of this Agreement, including but not limited to demobilization, reassignment of personnel, associated overhead costs and all other expenses directly resulting from the termination.

SIGNAGE

CLIENT agrees to allow CONSULTANT to place a sign on the project site during construction. The sign will include general information relative to CONSULTANT. CONSULTANT will be responsible for the sign installation and removal.

AMENDMENT

This Agreement can be amended by addenda if agreed to in writing and signed by both parties.

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Thomas & Hutton provides services on a time and expense basis as follows:

1. This basis includes allowance for direct salary expenses and for direct non-salary expenses. It also provides for services we may subcontract to others.
2. Direct salary expenses are generally based upon our payroll costs. The payroll costs include the cost of salaries and wages (including sick leave, vacation, and holiday pay) for time directly chargeable to the project; plus, unemployment, excise, payroll taxes, and contributions for social security, employment compensation insurance, retirement benefits, and medical and insurance benefits.

The current hourly rate charges for each skill position for 2023 are as follows:

Hourly Rate	Engineer	Survey	Landscape	GIS	Quality Control	Business/ Administrative
\$ 280.00	Consultant	Consultant	Consultant	Consultant	Consultant	
\$ 255.00	Senior Manager	Senior Manager Survey Party (3-Men)	Senior Manager	Senior Manager	Senior Manager	Senior Manager
\$ 230.00	Project Manager V Project Engineer V	Survey Manager V Project Surveyor V	Landscape Architect V LA Project Manager V	GIS Manager V		
\$ 210.00	Project Manager IV Project Engineer IV	Survey Manager IV Project Surveyor IV	Landscape Architect IV LA Project Manager IV	GIS Manager IV		Senior Application Developer IV, Software/Computer Consultant IV
\$ 200.00	Project Manager III Project Engineer III	Survey Manager III Project Surveyor III	Landscape Architect III LA Project Manager III	GIS Manager III		Senior Application Developer III, Software/Computer Consultant III
\$ 185.00	Project Manager II Project Engineer II	Survey Manager II Project Surveyor II Survey Party (2-Men)	Landscape Architect II LA Project Manager II	GIS Manager II	Construction Administrator II	Senior Application Developer II, Software/Computer Consultant II
\$ 170.00	Project Manager I Project Engineer I	Survey Manager I Project Surveyor I	Landscape Architect I LA Project Manager I	GIS Manager I	Construction Administrator I	Grant Administrator, Senior Application Developer I, Software/Computer Consultant I
\$ 160.00	Designer IV Engineering Technician IV	Staff Surveyor V Survey Field Supervisor	Landscape Designer IV	GIS Analyst IV	Field Representative V	Application Developer IV
\$ 150.00	Designer III Engineering Technician III	Staff Surveyor IV	Landscape Designer III	GIS Analyst III	Field Representative IV	Application Developer III
\$ 135.00	Designer II Engineering Technician II	Staff Surveyor III Survey Party (1-Man)	Landscape Designer II	GIS Analyst II		Permit Coordinator III Application Developer II
\$ 125.00	Designer I Engineering Technician I	Staff Surveyor II	Landscape Designer I	GIS Analyst I	Field Representative III	Application Developer I, Permit Coordinator II, Admin IV
\$ 110.00	CADD Technician III	Staff Surveyor I Survey Technician III	Landscape Technician III	GIS Technician III	Field Representative II	Permit Coordinator I
\$ 100.00	CADD Technician II	Survey Technician II	Landscape Technician II	GIS Technician II		
\$ 95.00	CADD Technician I	Survey Technician I	Landscape Technician I	GIS Technician I	Field Representative I	Admin III
\$ 90.00						Admin II
\$ 85.00						Admin I
\$ 425.00	Expert Witness					

3. When warranted, overtime will be charged for any non-salary employees. Overtime hours will be billed at 1.5 times the individual's charge rate.
4. Direct non-salary (reimbursable) expenses, including printing, reproduction, air travel, lodging, and meals are billed at cost. Travel in company or private vehicles will be billed at the IRS Standard Mileage Rate and may be revised based on fuel pricing. Outside consultant fees will be billed at 1.5 times the cost.
5. All rates and charges are effective through December 31st, 2023, including printing, reproductions, materials, and travel and are subject to change at that time. New rates and costs will become immediately effective to contracts in effect at the time of rate changes.

AGREEMENT TO FURNISH PROFESSIONAL SERVICES TO THE

CITY OF FERNANDINA BEACH, FLORIDA

CONTINUING CONTRACT

This AGREEMENT made on the 16th day of November, 2021 between the **City of Fernandina Beach**, a municipal corporation whose address at 204 Ash Street, Fernandina Beach, Florida 32034 ("CITY") and the consultant, **Thomas & Hutton**, whose address is 2501 Newcastle Street, Brunswick, Georgia 32806, ("CONSULTANT").

For the consideration hereinafter set forth, **Thomas & Hutton**, hereinafter referred to as the CONSULTANT, agrees to provide professional services to the City of Fernandina Beach, as follows:

ARTICLE 1 - SCOPE OF SERVICES

The parties hereto agree that under this Agreement, the CONSULTANT will provide professional services of a specified nature as described in Exhibit "A" - Scope of Services, attached hereto and incorporated as if fully set forth herein, when and if the City of Fernandina Beach requests the CONSULTANT to provide such services.

ARTICLE 2 - TERM OF AGREEMENT (CONTINUING CONTRACT)

The CITY enters into this AGREEMENT in accordance with all the procedures of the Consultants' Competitive Negotiation Act, Sec. 287.055, Fla. Stats. ("CCNA"). The CITY issued Request for Qualifications 21-01 on June 25, 2021. The CITY qualified the CONSULTANT using an evaluation committee process. The CONSULTANT understands and agrees that this AGREEMENT is defined as a "continuing contract" under the CCNA and is non-exclusive. A "continuing contract" under CCNA is for professional services provided to the CITY for projects in which the estimated construction cost of each individual project under the contract does not exceed \$4 Million or for study activity if the fee for professional services for each individual study under the contract does not exceed \$300,000. This AGREEMENT provides a termination clause in subsection 4(M) below.

A. Fees

As consideration for providing the services enumerated in Article I, the City of Fernandina Beach shall pay the CONSULTANT fees as defined in the purchase or task order. The CONSULTANT's fees shall be based on one of the following as requested by the City of Fernandina Beach and as determined in each purchase or task order:

1. Lump Sum Method - Wherein the City of Fernandina Beach shall pay the CONSULTANT an agreed upon lump sum amount, which includes all of the CONSULTANT's Direct Salary, Overhead Costs, Direct Expenses, Sub-contractors, and Profit.
2. Standard Hourly Rate Method (Time and Material Not to Exceed) - Wherein the City of Fernandina Beach shall pay the CONSULTANT the agreed upon hourly rates for time actually engaged on the work covered by this agreement.
3. Other methods of payment as agreed to by both parties and as described in the purchase or task order.

B. Direct Project Expenses

Charges for printing, reproduction, field equipment, and any laboratory analysis performed by the CONSULTANT, and the use of the CONSULTANT's and employee's automobiles will be charged in accordance with the CONSULTANT's standard rates as determined in each purchase or task order.

C. Status Report

The CONSULTANT shall complete and submit a technical summary and budgetary status report with each invoice (format to be provided by City). In no case shall the CONSULTANT bill the City of Fernandina Beach for more than one hundred (100) percent of the previously agreed upon purchase order or task order fee, unless authorized by the City of Fernandina Beach in writing.

D. Standard Hourly-Rate--Definition

The CONSULTANT's standard hourly and overtime rates shall be provided to the City of Fernandina Beach if required for future purchase or task orders. The CONSULTANT's hourly rates will be negotiated for each individual task order, and will be applicable through the duration of the task or purchase order.

ARTICLE 3 - TERMS OF PAYMENT

A. Monthly Invoices

The CONSULTANT shall submit invoices once each month to the City of Fernandina Beach for the services performed and the expenses and other charges accounted for under this agreement during the preceding month. Separate invoices shall be submitted for each task order or purchase order. Payment as prescribed in Article 2 for services rendered by the CONSULTANT during the previous billing period shall be processed in accordance with the Florida Prompt Payment Act, Section 218.70, Florida Statutes.

B. Payment of Expenses

Payments on account of expenses shall be made monthly upon presentation of the statement of expenses incurred. Documentation supporting the reimbursable expenses must be attached to the statement. The documentation may include, but is not limited to, copies of invoices and log sheets. The City Manager or his designee shall make a final determination as to whether documentation is sufficient to process invoices for payment.

C. Sales Tax

The CONSULTANT shall pay all applicable sales taxes; or the City of Fernandina Beach shall provide to the CONSULTANT the tax exemption information, where appropriate.

ARTICLE 4 - TERMS OF PERFORMANCE

It is further mutually agreed by the parties hereto that:

A. Starting Work

The CONSULTANT will not begin work on any of the services listed in Article I and Exhibit "A" until issuance of a Notice to Proceed by the City.

B. Information Provided by Owner

The City of Fernandina Beach shall make available to the CONSULTANT all technical data in the City of Fernandina Beach's possession, including previous plans, studies, analytical data, maps, surveys, borings, and

other information required by the CONSULTANT. The City shall not be liable for the accuracy of information supplied to the CONSULTANT.

C. Cost Estimating

The estimates of project or construction cost for any task(s) provided for herein are to be prepared by the CONSULTANT through exercise of their experience and judgment in applying presently available cost data, but it is recognized that the CONSULTANT has no control over the cost of labor and materials or over competitive bidding procedures and market conditions, so that the CONSULTANT cannot warrant that the project or construction costs will not vary from the CONSULTANT's cost estimates.

D. Suspension of Work

If any services covered by this agreement to be carried out by the CONSULTANT shall be suspended, abated, or abandoned at the direction of the City of Fernandina Beach for reasons unrelated to the quality of work provided by the CONSULTANT, the City of Fernandina Beach shall pay the CONSULTANT for services actually rendered for such suspended, abated, or abandoned work, and any reasonable additional documented costs incurred in an orderly closing of its activities, with the payment to be based on the fees as established in this agreement.

E. Adjustment for Extended Services

Unless otherwise provided in a task order or purchase order issued under this agreement, if the services covered under this agreement have not been completed upon the expiration of a twelve (12) month period from the date of execution of any purchase order or task order, the CONSULTANT may, upon, written notice, request a renegotiation for the fee compensation for services rendered to allow for changes in the cost of service.

F. Services in Connection with Claims and Litigation

The scope and extent of services to be provided under a purchase order or task order does not include personnel time of the CONSULTANT or time of personnel working under subagreements and related expenses required or requested to support, document, bring, defend, or assist in litigation and/or claims undertaken by or defended by the City of Fernandina Beach. All such services required or requested of the CONSULTANT shall be considered additional services entitling the CONSULTANT to additional compensation under this agreement. The amount of such additional compensation shall be set forth in a separate task order as reviewed and approved by the City. The CONSULTANT shall be entitled to such additional compensation until and unless there is a finding by a court of competent jurisdiction that the CONSULTANT is liable for damages to the City of Fernandina Beach for the acts giving rise to and requiring the requested services and expenses.

G. Ownership of Documents

If applicable, the drawings, specifications, reports, calculations, supporting documents, or other work products which are listed as deliverables in a purchase order or task order shall become the property of the City of Fernandina Beach upon delivery. The CONSULTANT may keep copies or samples thereof and shall have the right to use such drawings, specifications, calculations, supporting documents, or other documents. The City of Fernandina Beach Accepts sole responsibility for the City's reuse of any such documents in a manner other than as initially intended, or for any use of incomplete documents unless prior written approval is obtained from the CONSULTANT.

H. Account Records

The CONSULTANT's accounting records, insofar as they pertain to invoicing the City of Fernandina Beach or to disbursements made from the CONSULTANT's account for work under this agreement, shall be open to City of Fernandina Beach's inspection and audit at the CONSULTANT's office upon reasonable prior notice and during normal business hours. Backup documentation for out-of-pocket expenses exceeding Twenty-Five and

00/100 Dollars (\$25.00) each shall be available at the CONSULTANT's office. These records will be retained by the CONSULTANT for three (3) years after the calendar year in which the services to which they pertain were rendered or the disbursements were made.

I. Force Majeure

Neither party hereto shall be liable for its failure to perform hereunder due to any circumstances beyond its reasonable control, such as acts of God, wars, riots, national emergencies, sabotage, strikes, labor disputes, accidents, and governmental laws, ordinances, rules, or regulations. The CONSULTANT or City of Fernandina Beach may suspend its performance on any assignment because of a force majeure without being in default of this agreement, but upon the removal of such force majeure, the CONSULTANT or City of Fernandina Beach shall resume its performance as soon as is reasonably possible.

J. Approval of Changes

The City of Fernandina Beach must approve in writing any changes in the scope, specifications, or other conditions under which the services specified or referred to herein are to be performed which result in additional costs or expenses to the City of Fernandina Beach or which would change the purpose of the purchase or task order. Changes include, but are not limited to: issuing additional instructions, requesting additional work, direct omission of work previously ordered, or changes in time of performance.

K. Authorized Representative

Before starting work the CONSULTANT shall designate an authorized representative acceptable to the City of Fernandina Beach to represent and act for the CONSULTANT and shall inform the City of Fernandina Beach in writing of the name and address of such representative together with a clear definition of the scope of their authority. The CONSULTANT shall keep the City of Fernandina Beach informed of any subsequent changes in the foregoing. All notices, determinations, instructions, and other communications given to the authorized representative by the City of Fernandina Beach shall be binding upon the CONSULTANT and City of Fernandina Beach. The authorized representative of the City of Fernandina Beach shall be the City Manager or his designee.

L. Construction Phase Services (if applicable)

Visits to construction sites and observations made by the CONSULTANT as part of construction phase services authorized by purchase order or task order, if any, shall not relieve the construction contractor(s) of obligation to conduct comprehensive inspections of the work sufficient to insure conformance with the intent of the contract documents, and shall not relieve the construction contractor(s) of full responsibility for all construction means, methods, techniques, sequences, and procedures necessary for coordinating and completing all portions of the work under the construction contract(s) and for all safety precautions incidental thereto. Safety precautions administered by the CONSULTANT shall meet or exceed those policies enacted by the City.

If on-site Resident Project Representative (RPR) services are provided by the CONSULTANT pursuant to a purchase order or task order issued hereunder, such RPR shall endeavor to make reasonable efforts to guard the City of Fernandina Beach against defects and deficiencies in the work of the contractor(s) and to help determine if the provisions of the contract documents prepared by the CONSULTANT are being fulfilled. The obligations of the RPR shall be set forth in the purchase order or task order which authorizes RPR services. Construction phase services by the CONSULTANT will not, however, cause the CONSULTANT to be responsible for those duties and responsibilities which belong to the construction contractor(s) and which include, but are not limited to, the obligations set forth above. This paragraph does not, however, release the CONSULTANT from any liability which might be attributable to negligent acts, errors, or omissions, including but not limited to design, construction phase services, or other work efforts as defined in the Scope of Services. The City of Fernandina Beach reserves the right to request replacement of any RPR personnel furnished by the CONSULTANT.

M. Termination

The City of Fernandina Beach or the CONSULTANT may terminate, suspend, or delay this agreement for any reason by giving at least thirty (30) days written notice to the other party of their intent to terminate, suspend, or delay. In the event the agreement is terminated, suspended or delayed by the City of Fernandina Beach for reasons unrelated to the quality of work provided by the CONSULTANT, the City of Fernandina Beach shall forthwith pay the CONSULTANT in full for all work previously authorized and actually performed prior to the Notice of Termination, Suspension or Delay. This payment shall be the sole financial obligation or responsibility of the City of Fernandina Beach for compensation hereunder in the event of termination, suspension or delay in accordance with the provisions of this paragraph. This agreement shall continue in effect until a Notice of Termination, Suspension or Delay is given by either party as set forth above. Upon termination, suspension or delay, at the City of Fernandina Beach's request, the CONSULTANT shall turn over to the City of Fernandina Beach all work products and deliverables completed or partially completed up to the date of termination, suspension or delay, including but not limited to, subcontractor work products, reports, surveys, drawings, model results, and specifications. The City of Fernandina Beach shall have full rights to use all such work products and deliverables for any project, and in any manner, in the sole discretion of the City. The City of Fernandina Beach accepts sole responsibility for the use of the above-referenced work products and deliverables unless prior written approval is obtained from the CONSULTANT.

ARTICLE 5 - ADDITIONAL COSTS

The parties agree that any additional costs for work or services to be provided under a purchase or task order issued pursuant to this agreement, or pursuant to any other method or manner utilized by the parties for determining the cost of services or work to be provided by the CONSULTANT, must be approved in writing by the City of Fernandina Beach. If such additional costs are not authorized by the City of Fernandina Beach in writing, no payment for such additional costs shall be made.

SubCONSULTANTS

Charges for the services of outside CONSULTANTS and specialists (hereinafter called SUBCONSULTANTS) are as follows:

1. Labor Services - The labor services of approved SubCONSULTANTS, whose expertise is required within the scope of the CONSULTANT's work, will be invoiced in accordance with the executed task or purchase order.
2. Out of Scope Expertise - The services of approved SubCONSULTANTS, including but not limited to construction managers, engineers and architects, whose expertise is outside the scope of the CONSULTANT's work and/or who are retained by the CONSULTANT as a convenience to the City of Fernandina Beach, will be charged at the cost of such services to the CONSULTANT plus an administrative handling fee, as negotiated with, and agreed to, by the City of Fernandina Beach.
3. Approval - The use of any SubCONSULTANT, professional service or specialist referenced in Paragraphs 1 and 2 above must be approved by the City of Fernandina Beach in writing before such SubCONSULTANTS or specialists may be retained by the CONSULTANT.

ARTICLE 6 - CITY OF FERNANDINA BEACH'S RESPONSIBILITIES

A. Criteria

Provide all criteria and full information concerning the City of Fernandina Beach's requirements of the purchase order or task order, including objectives and constraints, performance requirements, and any budgetary limitations; and furnish copies of all design and construction standards which the City of Fernandina Beach will require to be included in the drawings and specifications.

B. Available Information

Assist the CONSULTANT by placing at their disposal all pertinent available information including previous reports and data relevant to the CONSULTANT's services.

C. Service of Others

Furnish to the CONSULTANT, as required for performance of the CONSULTANT's services, those services identified as City responsibilities in the Scope of Services.

D. Examine Work of the CONSULTANT

Examine all studies, reports, sketches, drawings, specifications, proposals, and other documents presented by the CONSULTANT, obtain advice of an attorney, insurance counselor, and other CONSULTANTS as City of Fernandina Beach deems appropriate for such examination, and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the services of the CONSULTANT.

E. Approvals and Permits

Unless otherwise provided in a purchase or task order, furnish approvals and permits from all governmental authorities having jurisdiction over the project(s) and such approvals and consents from others as may be necessary for completion of the project(s).

F. Costs

Bear all costs incidental to compliance with the requirements of this Article.

ARTICLE 7 INSURANCE AND INDEMNIFICATION

A. Indemnification

The parties recognize that the CONSULTANT is an independent contractor. The CONSULTANT agrees to indemnify and hold harmless the City, its commissioners, mayor, officers and employees, from and against liability and reasonable expense, including reasonable attorney's fees, in connection with claims, demands, damages, actions, causes of action, and suits, including claims for personal injury, property damage, equitable relief, or loss of use, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the CONSULTANT, its agents, officers, contractors, subcontractors, employees, or anyone else employed by the CONSULTANT in the performance of this Agreement. This includes claims made by the employees of the CONSULTANT against the City and the CONSULTANT hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement.

It is the specific intent of the parties hereto that the foregoing indemnification complies with Section 725.08, Florida Statutes, as amended. CONSULTANT expressly agrees that it will not claim, and waives any claim, that this indemnification violates Section 725.08, Florida Statutes, as amended. Nothing contained in the foregoing indemnification shall be construed as a waiver of any immunity or limitation of liability the City may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

B. CONSULTANT's Status as an Independent Contractor

That status of the CONSULTANT under this agreement is that of an independent contractor. Nothing in this agreement shall create or be construed as creating a partnership between the City of Fernandina Beach and the CONSULTANT, nor shall the CONSULTANT be an agent of the City of Fernandina Beach.

C. Waiver of Subrogation

The City of Fernandina Beach and the CONSULTANT waive all rights against each other for damages caused by perils covered by insurance provided under this agreement to the extent covered by such insurance, except such rights as they may have to the proceeds of such insurance held by the City of Fernandina Beach and the CONSULTANT as trustees. The CONSULTANT shall require similar waivers from all subCONSULTANTS and their subcontractors and suppliers.

The City of Fernandina Beach and the CONSULTANT waive all rights against each other for loss or damage to any equipment used in connection with performance under this agreement and covered by any property insurance. The CONSULTANT shall require similar waivers from all subCONSULTANTS and their subcontractors and suppliers.

If the insurance policies referred to in this article require an endorsement to provide for continued coverage where there is a waiver of subrogation, the owner of such policies will cause them to be so endorsed; failure to obtain endorsement nullifies the waiver of subrogation.

D. CONSULTANT's Insurance

The CONSULTANT shall not commence any work in connection with this agreement until he has obtained all of the following types of insurance and such insurance has been approved by the City of Fernandina Beach, and has named the City of Fernandina Beach as an additional insured, except for Worker's Compensation Coverage and Professional Liability, nor shall the CONSULTANT allow any SubCONSULTANT to commence work under this agreement until all similar insurance required of the SubCONSULTANT has been so obtained.

Such insurer shall have a currently valid Certificate of Authority issued by the State of Florida, Department of Insurance authorizing it to write insurance policies in the State of Florida and be doing business in the State of Florida. Insurers shall have at least a Policy Holders Rating of A-, and Financial Rating of Class IV as identified in the latest issue of "Bests Key Rating Guide" unless otherwise accepted by the City of Fernandina Beach in writing.

The CONSULTANT's insurance, and the insurance of any other party bound to the CONSULTANT shall be considered primary for the additional insureds stated above. The City of Fernandina Beach's insurance, if any, shall be considered excess, as may be applicable to claims which arise out of indemnifications, insurance, certificates of insurance and any additional insurance provisions of this agreement.

E. Loss Deductible

The City of Fernandina Beach shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of deductibles shall be the sole responsibility of the CONSULTANT.

F. SubCONSULTANT's Insurance

The CONSULTANT shall require each of his SubCONSULTANTS to procure and maintain, during the life of the subcontract, insurance of the types specified in this Article or insure the activities of his subCONSULTANTS in his policy as required in this Article.

G. Certificate of Insurance

The City of Fernandina Beach shall be furnished proof of insurance coverage as follows:

- The name of the insured, the name of the insurer, the number of the policy, its effective date, and its termination date;

- Statement that the insurer will endeavor to mail notice to the City of Fernandina Beach and will mail a copy to the CONSULTANT at least thirty (30) days prior to any cancellation, or non-renewal of the policy, a 10-day notice applies in the event of cancellation due to non-payment of premium;
- Certificate of Insurance shall be in the form as approved by the City of Fernandina Beach and such Certificate shall clearly state all the coverage required in this Article;
- If requested by the City of Fernandina Beach, the CONSULTANT and all subcontractors/subCONSULTANTS shall furnish complete copies of all insurance policies, forms and endorsements; and
- Receipt of certificates or other documentation of insurance or policies or copies of policies by the City of Fernandina Beach or by any of its representatives which indicate less coverage than required by this agreement does not constitute a waiver of the CONSULTANT's obligations to fulfill the requirements of this Article.

H. Workers' Compensation Insurance

The CONSULTANT shall have in full force, during the life of this agreement, Workers' Compensation and Employer's Liability Insurance for all their employees connected with work under this agreement, and in the event any work is subcontracted, the CONSULTANT shall require the SubCONSULTANT similarly to provide Workers' Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by the CONSULTANT. The CONSULTANT may provide a workers' compensation waiver in lieu of workers' compensation insurance where such waiver is properly approved by the Florida Department of Labor and Employment Security and accepted by the City of Fernandina Beach in writing. Such insurance or waiver shall comply with the Florida Workers' Compensation Law. In case any class of work conducted under this agreement is not protected under the Workers' Compensation statute, the CONSULTANT shall provide adequate insurance, satisfactory to the City of Fernandina Beach, for the protection of employees not otherwise protected.

I. Liability Insurance

The CONSULTANT shall have in full force, during the life of this agreement, Commercial General Liability and Commercial Automobile Liability Insurance and the amount of such insurance shall be minimum limits as follows:

- Commercial General Liability:
 - Minimum Coverage is \$1,000,000 per occurrence
 - Coverage shall include premises, operations, products, completed operations, independent contractors, Insured Contracts coverage, broad form property damage coverage, personal injury and bodily injury.
 - If Umbrella or Excess liability coverage is used to satisfy the requirements of this Article, it shall not be more restrictive than the underlying insurance policy coverage.
- Commercial Automobile Liability:
 - Minimum Coverage is \$1,000,000 per occurrence
 - Coverage shall include bodily injury and property damage arising out of ownership, maintenance or use of any auto, including owned, non-owned and hired automobiles and employee non-ownership use.

J. Professional Liability Insurance

During the term of this agreement and if specifically requested by City, the CONSULTANT will carry Errors and Omission insurance which will cover liability for negligent acts, errors or omissions, caused by the CONSULTANT. The amount of insurance shall not be less than \$1,000,000 per occurrence and aggregate. The City of Fernandina Beach may require a higher limit as mutually agreed with the CONSULTANT for specific task orders.

ARTICLE 8 - SUCCESSORS AND ASSIGNS

The City of Fernandina Beach and CONSULTANT each binds themselves and their partners, successors, executors, administrators, and assigns to the other party of this agreement and to the partners, successors, executors, administrators, and assignees of such other party in respect to all covenants of this agreement. Neither the City of Fernandina Beach nor the CONSULTANT shall assign, sublet, or transfer any interest in this agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any elected official, officer, employee or agent of the City of Fernandina Beach, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the City of Fernandina Beach and CONSULTANT.

ARTICLE 9 - REMEDIES

A. Claims, Counter-Claims, Disputes, Etc.

All claims, counter-claims, disputes, and other matters in questions between the CONSULTANT and the City of Fernandina Beach will be first reviewed by authorized representatives of both parties for a recommended solution. If no solution or resolution is forthcoming, such disputes will be decided by a court of competent jurisdiction convened in the State of Florida.

B. Governing Laws

This agreement shall be governed by the laws of the State of Florida.

C: Venue

This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Florida. Each of the parties hereto (a) irrevocably submits itself to the exclusive jurisdiction of the Fourth Judicial Circuit Court, in and for Nassau County, Florida, and the jurisdiction of the United States District Court for the Middle District of Florida, Jacksonville Division, for the purposes of any suit, action or other proceeding arising out of, or relating to, this Agreement; (b) waives and agrees not to assert against any party hereto, by way of motion, as a defense or otherwise in any suit, action or other proceeding, (i) any claim that it is not personally subject to the jurisdiction of the above-named courts for any reason whatsoever, and (ii) to the extent permitted by applicable law, any claim that such suit, action or proceeding by any party hereto is brought in an inconvenient forum, or that the venue of such suit, action or proceeding is improper or that this Agreement or the subject matter hereof may not be enforced in or by such courts.

D. Attorney's Fees and Costs

In the event of any action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for fees, costs, and expenses, including attorney's fees, as may be set by the Court.

ARTICLE 10 - NONEXCLUSIVE AGREEMENT

This Agreement is not intended to be and shall not be construed as an exclusive contract, and the City of Fernandina Beach may employ additional or other professional consulting firms to perform work contemplated by this agreement without liability to the City of Fernandina Beach.

ARTICLE 11 - CLOSING

A. Validity, Severability and Reformation

The validity, interpretation, construction, and effect of this agreement shall be in accordance with and be governed by the laws of the State of Florida. Any provision or part of this agreement held to be void or

unenforceable under any law shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

B. Headings

The headings of the sections of this agreement and capitalizations are for the purpose of convenience only and shall not be deemed to expand or limit the provisions contained in such sections.

C. Entire Agreement

This agreement, including the exhibits hereto, constitutes the entire agreement between the parties hereto and supersedes any prior negotiations, representations, agreements, and understandings, either written or oral.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the day and date first above written:

CITY OF FERNANDINA BEACH, FLORIDA,
a municipal corporation



Dale L. Martin, City Manager

THOMAS & HUTTON
CONSULTANT

By: 

Bonny K. Jones Jr.

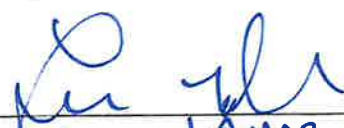
Title: Chief Operating Officer

Approved as to Form and Legality:



Tammi Bach, City Attorney

WITNESS:

Name: 

Sign: GROUP LEADER



Caroline Best, City Clerk

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution 2023 -29
TERMINATION - CITY MANAGER DALE L. MARTIN

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: The City Commission should consider the termination of the City Manager.

SYNOPSIS: At the February 7, 2023 City Commission Regular Meeting, Vice Mayor David Sturges presented a summary of issues about City Manager Dale L. Martin. Vice Mayor Sturges made a motion (seconded by Commissioner Ayscue) to "terminate Dale Martin without cause and give him 30 days written notice immediately."

Vice Mayor Sturges read a series of concerns related to the performance of and management by City Manager Martin. Other Commissioners offered comments related to Vice Mayor Sturges' concerns. Mayor Bean provided time for City Manager Martin to respond to Vice Mayor Sturges' comments.

With no further discussion, Commissioner Ross made a motion to table the original motion (seconded by Commissioner Antun). That motion failed, 2-3 (Ross, Antun in the affirmative). Commissioner Ross made a motion to postpone the issue to the February 21 City Commission Regular Meeting Agenda (seconded by Commissioner Antun). The motion to postpone the discussion to the February 21 City Commission Regular Meeting was approved, 3-2 (Ross, Antun, Bean in the affirmative).

FISCAL IMPACT:

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S): NA

Agnes White, Administrative Services Manager	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Dale Martin, City Manager	2/13/2023
Caroline Best, City Clerk	2/13/2023

Date: February 09, 2023

Submitted By: Dale Martin, City Manager

COMMISSION ACTION:

RESOLUTION 2023-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, TERMINATING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND CITY MANAGER DALE L. MARTIN; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission, through Resolution 2015-147, unanimously appointed Dale L. Martin to execute the duties of City Manager in accordance with Section 25 of the City Charter; and

WHEREAS, the City Commission desires to terminate the Employment Agreement associated with Resolution 2015-147 under the terms provided in Section 12 C, Section 14, and Section 17.

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

SECTION 1. The City Commission hereby terminates the Employment Agreement signed by Dale L. Martin (October 9, 2015) and by the City of Fernandina Beach (October 21, 2015), providing thirty days advance written notice, making the termination effective March 23, 2023.

SECTION 2. Dale L. Martin's official access to City facilities and networks will be discontinued effective February 22, 2023. He will, however, be granted non-disruptive access to City Hall to remove all personal effects by no later than February 28, 2023.

SECTION 3. The City Clerk and City Attorney are hereby authorized to execute all documentation required to complete this action.

SECTION 4. This Resolution shall take effect immediately upon passage.

ADOPTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner – Mayor

ATTEST:

CAROLINE BEST
City Clerk

APPROVED AS TO FORM & LEGALITY:



TAMMI E. BACH
City Attorney

City Manager Dale Martin TERMINATION

1. FIRST AND FOREMOST IT GIVES ME NO PLEASURE IN HAVING TO DISCUSS THIS TYPE OF CITY BUSINESS THIS EVENING.IM MAKING A MOTION TO TERMINATE DALE MARTIN WITHOUT CAUSE AND GIVE HIM 30 DAY WRITTEN NOTICE IMMEDIATELY.
2. I PROPOSE WE ACT ON THIS ISSUE THIS EVENING.I WILL DISCUSS SOME OF THE VARIOUS REASONS THAT HAVE BROUGHT ME TO THIS POINT.
 - A. SINCE BEFORE I WAS A COMMISSIONER, ONE OF THE FIRST MEETINGS I ATTENDED THAT PROPELLED ME TO RUN WAS A BUDGET DISCUSSION WHERE THE CITY MANAGER LOOKED UP A FEW PROPERTY OWNERS WHO WERE PRESENT AND PROCEEDED TO EMBARRASS THEM WITH VERBALLY LETTING EVERYONE KNOW THEIR EXACT TAX BILL.
 - B. I FEEL THAT THE TERMINATION OF A LONG TIME CITY EMPLOYEE REX LESTER FOR NO CAUSE WAS TERRIBLE MANAGEMENT, BY ELIMINATING HIS POSITION WITH 1.5 YEARS LEFT TO SERVE BEFORE HIS RETIREMENT.I ONLY FOUND OUT LAST WEEK THAT THE CITY MANAGER WAS GIVEN MULTIPLE OPTIONS FROM OTHER DEPARTMENT HEADS TO FINISH HIS TIME RESPECTFULLY. DALE REFUSED TO CONSIDER ANY OF THEIR OFFERS.
 - C. THE CITY MANAGER DELAYED THE TERMINATION OF THE CITY COMMISSIONERS' HEALTH INSURANCE BENEFIT for APPROXIMATELY 6 MONTHS IN ORDER TO BENEFIT ONE COMMISSIONER UNTIL HE WAS ELIGIBLE FOR MEDICARE.SELECTIVE MANAGEMENT.
 - D. HOWEVER, IN THE BRETTS ISSUE THE CITY MANAGER COULD NOT PERSUADE MR ROSS TO WAIT 2 WEEKS OR JUST DISCUSS THIS POSSIBLE ISSUE OF INSURANCE COVERAGE WITHOUT TRYING TO DISGRACE OUR CITY. FIRST OF ALL THE WHOLE ISSUE WAS SUPPOSED TO HAVE BEEN DONE WITH IN THE FIRST MEETING OF JANUARY WHEN NO COMMISSIONER 2ND COMMISSIONER ROSS'S MOTION TO CONTINUALLY DRAG THE NON ISSUE ALONG.HOWEVER THE CITY MANAGER WITH COOPERATION WITH MR ROSS ALONE CREATED AN OPPORTUNITY TO HY-JACK YET ANOTHER MEETING WITH THE ATTEMPT TO MAKE OUR CITY AND COMMISSIONERS LOOK BAD AND SOMEHOW CONDEMN BRETTS ,ALL OF THIS WAS DONE CONVENIENTLY WHEN THE CITY ATTORNEY WAS NOT PRESENT.SHOWING A LACK OF CONSIDERATION AND FAVORITISM ONCE AGAIN FOR 1 COMMISSIONER AND NOT THE WHOLE COMMISSION.POOR MANAGEMENT.

- E. FURTHERMORE, MAYOR BEAN SPECIFICALLY INSTRUCTED THE CITY MANAGER TO WAIT UNTIL THE CITY ATTORNEY RETURNED AND NOT TO SPEND MONEY ON MR POOLE TO RESEARCH THE BRETTS INSURANCE TOPIC.YET THE VERY NEXT DAY WITH THE CITY MANAGER'S PERMISSION COMMISSIONER ROSS DID JUST THAT AND COST THE CITY AN ADDITIONAL 650.00. SEE INVOICE ATTACHED.
- F. REGARDING BRETTS LEASE. I BELIEVE IN ATTEMPT TO CONTROL AND OR GET THE EXACT BID WINNER TO ACCEPT THE CONTRACT FOR THE BRETTS FUTURE LEASEHOLDER THE CITY MANAGER ACTUALLY OFFERED THE CITY COMMISION AN IDEA OF A 10 DAY RFQ. WHICH WOULD ONLY BENEFIT THE EXACT PERSON THE CITY MANAGER WANTED TO WIN.UNACCEPTABLE FINANCIAL MIS MANAGEMENT.
- G. AS A CITY COMMISSIONER I SHOULD NOT BE INFORMED ABOUT A HIRING OR FIRING OF AN EMPLOYEE AFTER THE NEWSPAPER WAS INFORMED.MOST RECENTLY THE NEWS LEADER KNEW DAYS BEFORE THE COMMISSIONERS WERE INFORMED THAT THE AIRPORT MANAGER RESIGNED.LACK OF COMMUNICATION.
- H. I WAS HIGHLY DISCOURAGED WHEN THE CITY MANAGER WHOSE PREROGATIVE IS CURRENTLY TO HIRE A NEW POLICE CHIEF BASICALLY BLEW OFF MY REQUEST TO MEET AND DISCUSS WITH HIM THIS HIRE.I WOULD FEEL AT THE LEAST THIS WOULD WARRANT LISTENING TO MY INPUT AS I AM ONE OF HIS BOSSES.
- I. THE WHOLE POLICE CHIEF HIRING PROCESS FROM OUR CITY MANAGER HAS BEEN A DEBACLE.I PERSONALLY KNOW FROM A PREVIOUS CITY COMMISSIONERS ARTICLE THAT THE CITY MANAGER'S 2 TOP CANDIDATES HAVE ONGOING LITIGATION AGAINST THEM.THE CURRENT ASSISTANT DEPUTY CHIEF WAS HIRED WITH THE INTENTION TO TAKE OVER THE POLICE CHIEF POSITION ONCE HE LEFT.I WAS INFORMED BY THE DEPUTY CHIEF THAT THE CURRENT INTERIM POLICE CHIEF JIM HURLEY WAS SET TO LEAVE ON FRIDAY A FEW WEEKS AGO, ACCORDING TO THE CITY MANAGERS LACK OF MANAGEMENT DID NOT INFORM STAFF UNTIL LATE THAT EVENING HURLEY WOULD BE STAYING.LAST WEDNESDAY JIM HURLEY DID LEAVE HIS TEMPORARY POSITION,YET OUR DEPUTY CHIEF HAS NOT BEEN INFORMED OF HIS CURRENT JOB DUTIES.CURRENTLY WITH NO TEMPORARY POLICE CHIEF IN PLACE.LACK OF COMMUNICATION AND LEADERSHIP.

- J. IN A STAFF MEETING A FEW WEEKS AGO I WAS INFORMED THAT THE CITY MANAGER EXPLAINED THAT MR. ROSS WOULD BE ROLLING OUT A 10 PERCENT BUDGET CUT PRESENTATION TO GET PREPARED FOR THE BUDGET CYCLE. THE CITY MANAGER SAID "MAKE IT LOOK UGLY" WITH HIS INTENTION OF UNDERMINING THE BUDGET PROCESS IS IRRESPONSIBLE AND UNFAIR AND INEQUITABLE TO ALL COMMISSIONERS.I VERIFIED WITH 3 DEPARTMENT HEADS THAT THIS IS ACTUALLY WHAT THE CITY MANAGER STATED.
- K. THESE ARE JUST SOME OF THE EXAMPLES THAT HAVE LED ME TO THIS DECISION FOR THE NECESSITY OF NEW LEADERSHIP AT OUR CITY.

RESPECTFULLY SUBMITTED,
VICE MAYOR DAVID STURGES

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution 2023-30
Proposal Approval - Weatherproofing Technologies, Inc.

ITEM TYPE: Resolution (w/ fiscal impact)

REQUESTED ACTION: Consider Resolution 2023-30.

SYNOPSIS: Staff recommends restoration to the Nassau County Library Fernandina Beach Branch (Project #23056) utilizing the application of an Alphaguard coating system over the entire roof. The current roof is a modified butimen flatroof system that is at the end of it's life. The attached Resolution approves hiring Waterproofing Technologies Inc., for roof restoration at the Library. The proposal provided by Weatherproofing Technologies, Inc. is awarded by pre-bid cooperative purchase contract through the Association of Education Purchasing Agencies (AEPA) via contract #IFB #021-D, which is extended to municipalities. Proposal #5041312 from Weatherproofing Technologies is in the amount of \$167,869.

FISCAL IMPACT: Funding for the Library roof is budgeted in Fiscal Year 2022/2023 in the Capital Improvements General Government Building account, 3001000 56200; Project #23056.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2023-30.

Jeremiah Glisson, Fleet & Facilities Maintenance Director	1/23/2023
Agnes White, Administrative Services Manager	2/10/2023
Katie Newton, Legal Assistant	2/13/2023
Dale Martin, City Manager	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Tammi E. Bach, City Attorney	2/14/2023

A handwritten signature in blue ink, appearing to read 'Catherine Sabattini', is centered on the page.

Date: January 20, 2023

Submitted By: Catherine Sabattini, Administrative Coordinator

COMMISSION ACTION: Adopt

RESOLUTION 2023-30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING WEATHERPROOFING TECHNOLOGIES, INC (A SUBSIDIARY OF TREMCO INC.) TO PERFORM ROOF RESTORATION ON THE LIBRARY TO THE AMOUNT OF \$167,869; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, staff recommends the restoration of the roof over the Library in the amount of \$167,869 utilizing a single-ply membrane system as outlined in proposal #5041312; and

WHEREAS, pricing for roof repairs has been provided by Weatherproofing Technologies, Inc. and is awarded by pre-bid cooperative purchase contract through the Association of Education Purchasing Agencies (AEPA) via contract #IFB 021-D, Exhibit A; and

WHEREAS, funding for the Library is budgeted in Fiscal Year 2022-23 in the Capital Improvements General Government Building account, 3001000 56200 Project #23056.

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

SECTION 1. The City Commission hereby approves the proposal from Weatherproofing Technologies, Inc. for the restoration of the roof at the Library in the amount of \$167,869, attached hereto as Exhibit A.

SECTION 2. The City Clerk and City Manager are hereby authorized to execute all documentation pertaining to this proposal, upon review and approval of the City Attorney.

SECTION 3. This Resolution shall be effective immediately upon passage.

ADOPTED this 21st day of February, 2023.

ATTEST:

CITY OF FERNANDINA BEACH

CAROLINE BEST
City Clerk

BRADLEY M. BEAN
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



TAMMI E. BACH
City Attorney



Proposal for:

City of Fernandina Beach, Florida
1017 South Fifth Street
Fernandina Beach, FL 32034

Project:

City of Fernandina Beach – Library Roof Recover



Submitted by:

Weatherproofing Technologies, Incorporated.
A Subsidiary of Tremco Incorporated.

3735 Green Road
Beachwood, OH 44122

January 9th, 2023



Association of Educational Purchasing Agencies

WTI Proposal # 5041312



January 9, 2023

City of Fernandina Beach
1017 South Fifth Street
Fernandina Beach, FL 32034

RE: City of Fernandina Beach – Library Roof Recover

Attn: Mr. Jeremiah Glisson,

Weatherproofing Technologies, Inc. (WTI), a subsidiary of Tremco, is pleased to submit this proposal for the roof recover of the North Roof of the Library for the City of Fernandina Beach. Please acknowledge the scope of work for a detailed description of what is proposed to be performed. We look forward to working with you on this project.

**City of Fernandina Beach
Library Roof Recover
225 S. 14th Street
Fernandina Beach, FL 32034**





SCOPE OF WORK – Library Roof Recover

1. Set up safety in accordance with OSHA/WTI.
2. Set up pre-construction meeting and discuss project set-up, logistics, staging, etc., prior to starting.
3. Install ¼" primed dens-deck over the existing roof. A minimum of 6 fasteners per board will be required.
4. Mechanically fasten .060 mil Tremply Kee single ply membrane, fastened 12" O.C. on side laps.
5. All field and end laps shall be heat welded per Tremco standards.
6. Wall flashing shall be installed and ran up to coping metal and pinned holding it in place.
7. Install new skirt metal around perimeter of building terminating wall flashing.
8. Install new .060 mil Tremply Kee pipe flashings at all vent stacks. 2 total will need to be installed.
9. Sump new insulation and flashing at scuppers to have adequate water drainage from roof.
10. Remove all job-related debris at the end of each day.
11. Includes a 20-year Warranty.

EXCLUSIONS:

1. No Electrical, Mechanical or Plumbing costs are included in the Lump sum.

QUALIFICATIONS:

1. This has been priced to work during normal working hours Monday-Friday
2. If any changes to above scope of work is required a signed change order must be signed prior to work being continued.
3. Deck Replacement, Deck Repair, and/or Wood Replacement is not included.
4. Barricades and signs along with traffic control protection will be provided as needed by the contractors.
5. Owner shall provide a staging area for crane, dumpster, miscellaneous equipment, and materials.
6. Use of onsite parking for workers assumed during construction.
7. Use of building electric power and water assumed during construction
8. Temporary restroom facilities have been proposed by contractors.
9. Use of dumpster and mobile equipment for material handling have been proposed by contractors.
10. Take photos of all work performed and send to local rep daily.



PROPOSED SCHEDULE & FEES

SCHEDULE

We will dedicate required manpower/resources to perform our services on a timely and responsive basis. Part Time supervision will be supplied by For the Basic Scope of Work, we estimate ten (10) working days for the construction time which will be scheduled from receipt of a purchase order.

NOTE: *Field work cannot be completed during inclement weather.*

FEES:

Based on the abbreviated Scope of Work listed, we propose a total lump sum fee in the amount of: **(One hundred sixty-seven thousand eight hundred sixty-eight dollars and six cents.)**

\$167,868.06

We have included in the project costs all labor, materials, equipment and incidentals to complete the work as outlined in the specifications, including construction management, profit and overhead.

The lump sum pricing is based on access to certain areas such as parking lots or interior pathways to access roofs. Interior access will also need to be available to reach certain roof sections. A laydown area on-site, if available, would be used to store material and equipment.

In roof areas where mechanical equipment is prevalent, coordination with the Owners in house or Mechanical Contractor will be required as not to disconnect or shut down any equipment without permission.

This Proposal is set forth above in accordance with the terms and conditions of our current Association of Educational Purchasing Agencies (AEPA) Contract Agreement.

This proposal is valid for sixty (60) days and does not include taxes. Owner to provide tax exempt certificate.

Services requested beyond the above scope of work shall be considered additional services. Separate or multiple cost opinions, if requested, shall be prepared at additional cost.

Please feel free to contact me if you have any questions.

Respectfully,
WEATHERPROOFING TECHNOLOGIES, INC.

Jeremy DeMuth
Construction Manager

Copy: Jason Moore, Tremco Inc/Brian Blaydes, Tremco, Inc.



Weatherproofing Technologies/Tremco - Roofing Contract AEPA 021-D

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[Visit the Awarded Contracts Index](#)

For more than a decade, Tremco Roofing and Building Maintenance and its subsidiary WTI (Weatherproofing Technologies, Inc.) have been providing AEPA members with unique facility asset management solutions designed to reduce your roofing and building envelope life-cycle costs, while improving building performance.

Expedited contract procurement and our comprehensive start-to-finish project management capabilities allow you to concentrate on your daily responsibilities while WTI takes the responsibility for ensuring a safe, dry, comfortable environment.

AEPA 021-D Roofing, Contract Expires February 28, 2023

KCDA Contacts

Karl Durham, Contract & Procurement Specialist

 425-251-8115, 800-422-5019, Ext. 131

 253-395-5402

 kdurham@kcda.org

Vendor Contacts

Desiree Huff

 541-905-1589

 DHuff@tremcoinc.com

Vendor Links

Using ESSER Funds for School Improvements (Video)
Project - Goldenview MS Roof Restoration (Video)
AlphaGuard™ BIO: Roof Restoration (Video)
PNW Team and KCDA Operations Information (PDF)
Services for Washington Schools (PDF)
Keeping Building Interiors Safe (PDF)

2018 KCDA Top Vendor

2017 KCDA Top Vendor

Products & Services	—
Roofing Materials, Installation, Site Work and Envelope Services	
How to Order	+
Contract Documents	+
Bid Documents	+
AEPA Cooperative Partner	+
MSDS/SDS Sheets	+

Florida

Contact: Larche Hardy

Work Phone: (850) 638-6131 ext. 2256

Work Email: Larche.hardy@paec.org



Website: <http://www.floridabuy.org/>

Biography

The AEPA member in Florida is the PAEC Florida Buy.

Eligible Customers

K-12 Public & Private Schools | Colleges & Universities | Public Libraries | City, County & State Government

Neighboring States Served

Alabama | Georgia



The Association of Educational Purchasing Agencies (AEPA) is a multi-state non-profit organization whose members share the common goal of saving public agencies money.

However, we understand that this unique identity can cause a little confusion about who you need to contact to get information. Below is a list of frequently asked questions for your reference.



SCHOOLS, EDUCATION, AND GOVERNMENT

? Who is eligible to purchase off of the AEPA contracts? ▾

Our primary customer-base is K-12 schools, but many members extend their contracts to higher education, municipalities, and non-profit organizations. This differs slightly in each state, based on the charters of the member agencies. Check with your local member agency for more details.

? How do I purchase off of the contracts? ➤

A Multi-State Non-Profit Organization

The Association of Educational Purchasing Agencies (AEPA) is a multi-state non-profit organization made up of Educational Service Agencies / political subdivisions organized through a Memorandum of Understanding between all participating states.

We are a true “cooperative” who serves to leverage purchasing power to benefit all schools and agencies, regardless of size, with the ability to purchase at equal buying levels.



How do we work?

AEPA conducts bi-annual meetings where bid responses are reviewed and evaluated by all AEPA member agencies. Once bids are approved for award by AEPA, each AEPA member state selects contracts they feel will best help their respective states. Contracts are typically awarded for one base year, with options to renew for three additional years.

In addition to reviewing and awarding contracts, these bi-annual meetings serve to:

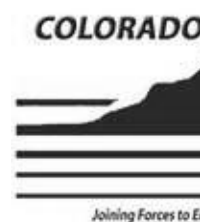
- Redefine organizational bylaws, policy & procedures
- Consider new state members
- Select product categories to solicit
- Select task groups and committee members

History

AEPA started in 2000 with 10 member states with purchasing professionals who had the mutual goal of securing combined volume purchasing contracts based on potential sales by qualifying customers in participating states using:

- Combined expertise
- Existing vendor relationships
- Experience & overall vision

Members



CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance 2023-01
Land Development Code Text Amendments - Waterfront Development and Marinas

ITEM TYPE: Ordinance (w/ fiscal impact)

REQUESTED ACTION: Consider Ordinance 2023-01 at Second Reading.

SYNOPSIS: Amends the Land Development Code related to waterfront development and marinas as directed by the City Commission. This Ordinance was approved at First Reading at the City Commission's January 17, 2023, Regular Meeting.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact proposed Ordinance 2023- 01at Second Reading.

Kelly Gibson, Planning Director	1/30/2023
Katie Newton, Legal Assistant	2/7/2023
Agnes White, Administrative Services Manager	2/10/2023
Pauline Testagrose, Comptroller	2/10/2023
Dale Martin, City Manager	2/13/2023
Tammi E. Bach, City Attorney	2/13/2023

A handwritten signature in blue ink that reads "Katie A. Newton".

Date: January 18, 2023

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Enact

ORDINANCE 2023-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, the City of Fernandina Beach has applied for a Land Development Code (LDC) text amendment to modify multiple Land Development Code Sections to acting on City Commission directed amendments, and

WHEREAS, the City Commission adopted a unified Land Development Code (LDC) on September 5, 2006, which became effective on October 1, 2006; and

WHEREAS, the City Commission directed these amendments at its regular meeting on August 16, 2022; and

WHEREAS, the Planning Advisory Board held public hearings on September 14, 2022, October 12, 2022, and December 14, 2022, to discuss and consider public comment on the requested LDC Text Amendments; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Special Meeting on Wednesday, December 14, 2022, and issued a recommendation of approval for the requested amendments; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on December 14, 2022.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the amendments attached hereto as Exhibit A, amending multiple LDC Sections to address City Commission directed amendments.

SECTION 2. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately upon enactment.

ENACTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMIE. BACH
City Attorney

Date of First Reading: January 17, 2023
Date of Second Reading: February 21, 2023
Date of Publication: February 8, 2023

CHANGES TO CHAPTER 1

1.07.00 DEFINITIONS

Marina means a licensed commercial facility contiguous to a water body that provides secured public moorings or dry storage for vessels on a leased basis. A commercial establishment authorized by a licensed vessel manufacturer as a dealership is considered a marina for nonjudicial sale purposes.

Surface water is any body of water found on the Earth's surface, including both the saltwater in the ocean and the freshwater in rivers, streams, and lakes. A body of surface water can persist all year long or for only part of the year including wetlands, and wet and dry retention ponds.

CHANGES TO CHAPTER 3

3.03.03 Development Within Wetlands

Except as expressly provided in this section, no development activity will be permitted in a wetlands area, as defined in Section 3.03.01.

- A. Wetlands must be preserved in their natural state. No fill may be placed in a wetland; and the wetland must not be altered.
- B. Buffering requirements for development adjacent to wetlands or natural water bodies:
 - 1. All new development and redevelopment adjacent to jurisdictional wetlands or surface water bodies shall be required to provide a buffer zone of native vegetation at least twenty-five (25) feet wide around wetlands and fifty (50) feet from natural water bodies to prevent erosion, retard runoff, and provide areas for habitat. All new construction that is a water dependent, water enhanced, or water related use within the CRA and I-W zoning is exempt from the required buffers established by this Section; and
 - 2. This setback is required for any development, except docks or piers which have received a permit from the Florida DEP, SJRWMD, or the USACOE and are compliant with standards found in Section 3.01.03(B)1.

CHANGES TO CHAPTER 2

2.03.02 Table of Land Uses

ZONING DISTRICTS		R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	MU-8	C-1	C-2	C-3	I-1	I-2	I-A	I-W	W-1	PL-1	CON	REC
– Prohibited (Empty) P – Permissible S – Permissible Subject to Supplemental Standards																						
PRINCIPAL LAND USES:																						
Laundry																						
Laundry and Dry Cleaning, Pick-Up Only *Note 5								P	P	P	P	P	P		P							
Light Indoor Manufacturing Uses, including Packaging and Fabricating															P	P	P					
Liquor Store, Lounge, and Bar (without drive-through window) *Note 5										S	P	S	P	S	P	P		P	P			
Lodging Accommodations											S	S	P	P	P		S					
Lumber and Building Supply													S		P	P		P				
Manufacturing and/or Assembly - Heavy																P						
Manufacturing and/or Assembly - Light											P				P	P	P					
Manufacturing and/or Assembly – Water Related															P	P		P				

Manufacturing and/or Assembly - Artisan									P	P	P	P	P	P	P	P						
Marina															S	S	S					P
Marine recreation, such as kayak or boat rentals, sailing schools, etc.										P						P	P					P

Print

Planning Advisory Board (PAB) - Submission #10253

Date Submitted: 11/21/2022

Planning Advisory Board (PAB) Application

USE THIS FORM TO Request actions to affect changes to property (zoning changes, annexations, allowable uses, subdivisions).

Fees

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.

☐

Zoning Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☐

Land Use Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☒

LDC Text Amendment (\$1,500)

☐

Comp Plan Amendment (\$5,000)

☐

Subdivision Plat " Preliminary (≤ 20 units \$3,000 / > 20 units \$5,000)

☐

Subdivision Plat " Final (\$1,500)

☐

Vacation of R.O.W. (\$3,500)

☐

Small Cell Outside R.O.W. (per application) (\$500)

☐

Voluntary Annexation (\$2,000)

☐

Development of Regional Impact: Amend Development Order (\$1,500)

☐

New Telecommunications Structure (\$2,000)

☐

Revision to each PAB Application - 1/2 cost of original application fee (To offset additional display ad fee)

pab 2022



IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, youâ€™ll need to meet with a City Planner prior to submitting your application. Completed applications are due 30 days prior to the Planning Advisory Board meeting date.

Please see the Land Development Code (LDC) for detailed information:



LDC Text Amendment “ see LDC Section 11.01.08.



Preliminary Subdivision Plat “ see LDC Section 11.01.05.



Final Subdivision Plat “ LDC Section 11.01.05.



Zoning Map Changes “ See LDC Section 11.01.07.

The LDC is available for review at

www.fbfl.us/LDC

Application Requirements



A complete application filed at least forty-five (45) days before the date of the Planning Advisory Board’s public hearing;



Proof of Ownership (copy of deed or tax statement);



A current survey of the property (no older than two years);



If applying as an agent, Owner’s Authorization for Agent Representation form needs to be signed/ notarized and included in application;



A detailed letter of intent stating the following:



o The consistency of the proposed amendment(s) or action(s) with the City’s Comprehensive Plan.



o A justification for the proposed amendment(s) or action(s).

Have you met with a planner for a pre-application meeting?*

Yes

What was the date of your pre-application meeting?*

11/21/2022

If you have yet to have a pre-application meeting, please choose a date and time to schedule your meeting now. Every Tuesdays are reserved for pre-application appointments.*

11/18/2022

hh:mm am/pm

PROPERTY INFORMATION

Property information can be found at the Nassau County Property Appraiser’s Website’s Map Search

Site Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

0

Lot*

0

Block*

0

Subdivision*

0

Zoning District*

C-1

Future Land Use Designation*

8th St Mixed Use

REVIEW TYPE*

☐ Zoning Map Amendment ≤ 10 acres

☐ Zoning Map Amendment > 10 acres

☒ LDC Text Amendment

☐ Comp Plan Amendment

☐ Subdivision Plat “ Preliminary ≤ 20 units

☐ Subdivision Plat “ Preliminary > 20 units

☐ Subdivision Plat “ Final

☐ Vacation of R.O.W.

☐ Voluntary Annexation

☐ Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Dale

Last Name*

Martin

Company (if applicable)

City of Fernandina Beach

Mailing Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Telephone Number*

904-310-3480

Email Address*

dmartin@fbfl.city

OWNER'S AGENT

If other than owner. If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name

Dale

Last Name

Martin

Mailing Address

204 Ash Street

City

Fernandina Beach

State

FL

Zip

32034

Telephone Number

904-310-3480

E-mail Address

dmartin@fbfl.city

PROJECT INFORMATION

Previous Planning/Zoning Approvals

Summary of Request (more detailed information to be provided in required letter of intent)*

Various LDC Text Amendments - MINOR AMENDMENTS TO ADDRESS ERRORS, OMISSIONS AND CORRECTIONS INCLUDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA, FRONT FAÇADE, MARINA, AND SURFACE WATER; AND AMENDING SECTION 3.0.3.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND SECTION 2.03.02 ADDING MARINAS AS PERMISSIBLE WITHIN REC ZONING DISTRICT.

Certification*



By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.



I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

Applicant First Name*

Applicant Last Name*

Dale

Martin

Today's Date*

11/21/2022

Upload Supporting Documentation*

Display Ad 113022.docx



Upload 2

Choose File

No file selected

Upload 3

Choose File

No file selected

Upload 4

Choose File

No file selected

DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 | www.fbfl.us/planning

APPROVED



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
AUGUST 10, 2022**

1. CALL TO ORDER 5:00

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair) Peter Stevenson
Genece Minshew (Vice-chair) Mark Bennett
John Boylan

MEMBERS ABSENT:

Barbara Gingher

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes from the Regular Meeting of June 8, 2022.

Member Stevenson noted that under item 4.1 he voted no, he did not abstain from voting.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

3.2 Approval of Minutes for the PAB Special Meeting of June 22, 2022.

Member Stevenson noted that under item 4.1 last line, change the word "reapproved" to "reaffirmed".

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

Chair Robas and Members agreed to hear Public Comment prior to the New Business items.

8. PUBLIC COMMENT

Jose Miranda, 309 ½ Centre Street, spoke about the current LDC definition for building footprint, as it relates to accessory dwellings and accessory structures, and requested that the Board consider amending the definition to achieve consistency and accuracy.

Michael Stauffer, 422 S. 6th Street, echoed Mr. Miranda's concern and thanked Staff for working to issue a Memorandum and addressing this concern so quickly.

James Pozzetta, 103 S. 18th Street, first disclosed that he sits on the Historic District Council as a member, spoke of the importance of this issue within the Historic District Council review process.

Judy Fitzwater, 927 S. 7th Street, spoke in favor of PAB case 2022-0024 regarding re-zoning to conservation land.

4. OLD BUSINESS

There were no Old Business items to discuss.

5. NEW BUSINESS

5.1 PAB 2022-0023 - FUTURE LAND USE MAP AND ZONING CHANGES FOR PROPERTIES LOCATED AT 1060 JEAN LAFITTE BLVD AND ON THIRD STREET TOTALING APPROXIMATELY 3.17 ACRES OF LAND FROM LOW DENSITY RESIDENTIAL (LDR / R-1) TO CONSERVATION (CON)

Ms. Forehand provided a summary of the requested action. She noted that the City would be closing on the property on 3rd Street by the end of this month of August. She also mentioned that this property is mostly wetland. Staff recommended approval.

Member Stevenson asked about if future budget allocations were in place for the maintenance of acquired properties.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to recommend approval of PAB case 2022-0023 to the City Commission; AND that PAB case 2022-0023 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.2 PAB 2022-0024 - FUTURE LAND USE AND ZONING MAP CHANGES FOR FLORIDA STATE LANDS LOCATED ON LOTS 8 + 9 S. 7TH STREET AND LOTS 3 + 4 INDIGO/S. 6TH STREET TOTALING 0.24 ACRES OF LAND FROM MEDIUM DENSITY RESIDENTIAL (MDR)/ R-2 TO CONSERVATION/CON

Ms. Forehand provided a summary of the requested action and staff recommended approval.

Judy Fitzwater, 923 S. 7th Street, spoke in favor of re-zoning to conservation land.

Breanna Pajevic, 917 S. 7th Street, voice some concerns about development near her property and would like to keep as much conservation as possible.

John Holbrook, 2009 Beech Street, spoke about the ownership of vacant parcels adjacent to the subject properties.

Margaret Kirkland, 1377 Plantation Point Drive, spoke of the importance of the conservation zoning designation on this parcel.

Judy Fitzwater, 923 S. 7th Street, noted that there is a creek close to these lots.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Boylan to recommend approval of PAB case 2022-0024 to the City Commission; AND that PAB case 2022-0024 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.3 PAB 2022-0025 - PRELIMINARY PLAT - FOR 2754 + 2766 BAILEY ROAD, FOR 12 SINGLE FAMILY LOTS

Ms. Forehand provided a summary of the requested action. She noted that this request has been reviewed by the Technical Review Committee and are awaiting the result from this review to acquire their Local Development Order. Staff recommended approval.

Margaret Kirkland, 1377 Plantation Point Drive, expressed concern regarding higher ground water levels in that area and the amount of tree and vegetation removal.

Asa Gillette, 20 S. 4th Street, was present to answer any questions and addressed the higher ground water level comment.

ACTION TAKEN: A motion was made by Member Minshew, seconded by Member Bennett to recommend approval of PAB case 2022-0025 to the City Commission; AND that PAB case 2022-0025 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.4 PAB 2022-0022 - VOLUNTARY ANNEXATION + ZONING + LAND USE MAP AMENDMENTS - 2753 AMELIA ROAD - CHARLES HINTON GAINES + BARBARA G. HARPER

REQUEST FOR VOLUNTARY ANNEXATION FOR A PARCEL OF LAND TOTALING 0.90 ACRES OF LAND, ASSIGNMENT OF THE CITY'S FUTURE LAND USE MAP CATEGORY OF MEDIUM DENSITY RESIDENTIAL (MDR), AND ZONING DISTRICT OF MEDIUM DENSITY RESIDENTIAL (R-2) FROM NASSAU COUNTY RESIDENTIAL SINGLE-FAMILY 2 ZONING DISTRICT AND MEDIUM DENSITY LAND USE.

Ms. Forehand provided a summary of the requested action and staff recommended approval.

Members expressed concern with the R-2 and would rather see this parcel zoned R1.

Barbara Harper, 2069 Clinch Drive, owner of the parcel, stated that they would be happy with an R-1 zoning district.

Marsha Christopher, 667 Ferdinand Court, voiced a concern regarding potential development of adjacent properties.

Barbara Harper, 2069 Clinch Drive, spoke about a neighbor's request for an easement.

ACTION TAKEN: A motion was made by Member Minshew, seconded by Member Bennett to recommend approval of PAB case 2022-0022 to the City Commission; requesting a Voluntary Annexation assignment of Low Density Residential Land Use and Low Density Residential R-1 Zoning District for property located at 2753 Amelia Road be approved; AND that PAB case 2022-0022 as presented with the proposed change is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time.

Rachel Taylor, 2649 Robert Oliver Avenue, asked for clarification of the different zoning densities.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

6. BOARD BUSINESS

6.1

- a Discussion of Commission Directed LDC Text Amendments: *Impervious Surface, Gross Site Area, Defining "Marina", "Surface Water"*
- b. *Consistency of LDC Sections 8.01.02 (D) (1) and 3.03.03 (B)(1) "Water-Enhanced Uses" to be exempt from wetland buffers.*

Ms. Forehand provided a summary of the requested action and Staff's analysis.

Margaret Kirkland, 1377 Plantation Point Drive, spoke of concerns regarding the development of land located on the Amelia River.

6.2 Member Bennett requested discussion of historically platted lots of record.

Member Bennett indicated that Ms. Gibson has provided substantial information to the Board via email.

6.3 Vision 2045 Update: City Commission consideration of Vision 2045 at its regular meeting on **August 16, 2022**. Documents can be obtained from the City Commission agenda packet or the City's website at www.fbf1.us/vision2045.

The City Commission Agenda with this item is expected to be published on Tuesday, August 9, 2022.

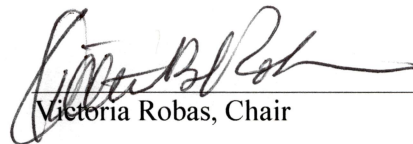
7. STAFF REPORT

Margaret Kirkland, 1377 Plantation Point Drive, spoke of concerns about the smaller platted lots of record and tree loss.

8. ADJOURNMENT 7:19



Taylor Hartmann, Recording Secretary



Victoria Robas, Chair



APPROVED

**MINUTES - AMENDED
PLANNING ADVISORY BOARD
REGULAR MEETING
SEPTEMBER 14, 2022**

1. **CALL TO ORDER 5:00**
2. **ROLL CALL / DETERMINATION OF QUORUM**

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Genece Minshew (Vice-chair)	Barbara Gingher
John Boylan	Richard Doster

MEMBERS ABSENT:

Mark Bennett

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MEETING MINUTES**

4.1 Approval of Minutes of the Regular Meeting of August 10, 2022.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the minutes as presented.

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

5. **OLD BUSINESS**

There were no Old Business items to discuss.

6. **NEW BUSINESS**

There were no New Business items to discuss.

7. **BOARD BUSINESS**

Board members agreed to discuss the topic of affordable housing prior to the listed items on the agenda.

City Attorney Bach provided the Board with an overview of the Florida Statute regulating the renting of accessory dwelling units.

Member decided to discuss item 7.1 first.

7.1 LDC AMENDMENTS DISCUSSION

- City Commission Recommendation Changes
 - Ms. Forehand provided the Board with an overview of the proposed text amendment options for chapter one definitions including building area, surface water, and marina.
- Accessory Dwelling Unit (ADU) - footprints/overhang
 - James Pozzetta, 103 S. 18th Street, inquired about some of the proposed language relating to permissible building projections on accessory structures.
 - Jose Miranda, Miranda Architects, spoke about the difficulties design professionals are facing.
- Accessory Dwelling Unit (ADU) Memo
 - Ms. Gibson explained that the memo has been issued and clarified that the memo is consistent with the language that has been presented.

7.2 Discussion: Advertising Costs.

Ms. Gibson provided the Board with an overview of the standard and anticipated advertising costs.

7.3 Continuation of discussion on historically platted lots of record.

This item was discussed first.

Members agreed that this item should be postponed until Member Bennett returns in October.

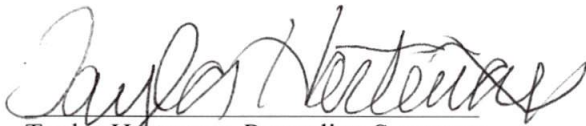
8. STAFF REPORT

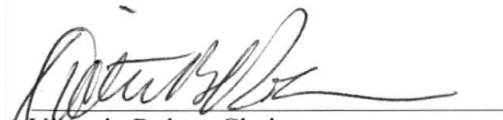
Ms. Forehand indicated that she has created a survey to understand how the community is interacting with the LDC.

9. PUBLIC COMMENT

No parties wished to speak.

10. ADJOURNMENT 7:10


Taylor Hartmann, Recording Secretary


Victoria Robas, Chair



MINUTES AMENDED
PLANNING ADVISORY BOARD
REGULAR MEETING
OCTOBER 12, 2022

1. CALL TO ORDER 5:00 PM

ROLL CALL / DETERMINATION OF QUORUM
MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Genece Minshew (Vice-chair)	Mark Bennett
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:
None

OTHERS PRESENT:
Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes for the Regular Meeting of September 14, 2022.

Member Stevenson noted that under Members Present Member Doster's name is missing.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

4. OLD BUSINESS

There were no Old Business items to discuss.

5. NEW BUSINESS

There were no New Business items to discuss.

6. BOARD BUSINESS

6.1 DISCUSSION OF FUTURE LDC AMENDMENTS

a. 1.00.07 Definitions

- b. 4.05.16 Canopy Roads (as directed by Mayor Lednovich)
- c. 5.01.03 Accessory Structures
- d. 5.01.04 Accessory Dwelling Units (ADU)
- e. 8.01.01.02 Specific Requirements within OT-1 and OT-2 Districts
- f. 5.02.02 Seasonal Sales
- g. 5.02.03 Moveable Module Storage Units and Roll-Off Dumpsters

Chair Robas stated that the topic of density was raised as a significant concern during the recently held Candidate Forum.

Members discussed ways to provide more information to the public.

Member Doster noted that a look a density should be dealt way before development begins and should be looked at years ahead.

Member Bennett mentioned that an awareness of how many remaining vacant lots of record within the City limit would offer some insight on how these lots could be analyzed and what amendment could be proposed in the future regarding density.

Member Minshew spoke about her request for the Planning & Conservation Department's Goals for 2023.

Ms. Forehand presented some of the amendments of some Standards from Chapter 6 and asked for some input from the Board. Member Stevenson also noted that looking at Chapter 3 relating to the Waterfront planning would also be a good idea. Ms. Forehand also spoke of Surface Water definition.

The Board reviewed the proposed tree canopy road amendments and discussed pros and cons, such as the process of designating canopy roads and the impact of trees located on private property. Ms. Gibson noted that the City Commission would need to provide direction on the process. Ms. Gibson answered some additional questions from members.

Ms. Forehand presented her analysis regarding Accessory Structures in Chapter 5. Members asked Staff questions regarding location of the structures.

James Pozzetta, architect, 103 S. 18th Street, asked if these changes would impact the compliance of existing front porches, enclosures or any front façade.

Betsy Huben, 4615 Philips Manor Place, expressed concern with text amendments potentially limiting the uses on older properties.

Mike Stauffer, 422 S. 6th Street, spoke about the proposed accessory structure amendments and the percentage threshold of improvement to a non-compliant property, and a memo of understanding regarding height measurements in flood zone. Upon his suggestion, Staff will adjust the language of these amendments to Accessory Dwelling Units (ADU) consistent with the one regarding the principal structure in Chapter 4.

Members raised questions about properties in Old Town and the current code requirements. Ms. Bach noted she will look up the code and provide insight regarding the Historic District Guidelines.

Mike Stauffer, 4615 Philips Manor Place, questioned the definition of total building area and total floor area.

Members had no questions regarding the amendments to Seasonal Sales.

Members discussed the possibility to amend the language regarding POD and Roll-Off Dumpsters to include a wider timeframe if the permit is associated with a building permit.

Lauree Hemke, 751 Barrington Drive, commented on the amount of work going into LDC amendments and asked that the Board not lose sight of the bigger picture and the public input from the 2019 EAR.

7. STAFF REPORT

City Attorney Bach provided the Board with an overview of the City Commission and City Manager direction on how to address the Comprehensive Plan revisions.

Ms. Gibson commented that, currently, the priority is to provide the Board with a final document of the LDC restructuring by January 2023. She also mentioned that this doesn't stop members to look into the Comprehensive Plan and provide some feedback. Members discussed goals for 2023.

Ms. Forehand provided a timeline regarding the LDC restructuring & Municode Integration in 2023.

Member Minshew suggested that a communication strategy be established between the public, the professional community, the Board Members and the Commission, and that a couple of workshops be set up in between January and March of 2023.

8. PUBLIC COMMENT

Lori Hemke, 751 Barrington Drive, spoke in favor of public involvement with the LDC restructuring.

9. ADJOURNMENT 7:36 PM

Taylor Hartmann, Recording Secretary

Victoria Robas, Chair



**MINUTES
PLANNING ADVISORY BOARD
SPECIAL MEETING
DECEMBER 14, 2022**

1. CALL TO ORDER 3:00

2. ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:

Mark Bennett

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Deputy Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. NEW BUSINESS

- 4.1 **PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

Member Stevenson presented an alternative definition of surface water for members to consider.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0028 to the City Commission; AND that PAB case 2022-0028 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 4.2 **PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FACADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FACADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND the FRONT FACADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

Betsey Huben, 4615 Philips Manor Place, spoke about the inability of existing accessory structures to become ADUs.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0029 to the City Commission; AND that PAB case 2022-0029 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 43 **PAB CASE 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES:** AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE, AND 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.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0030 to the City Commission; AND that PAB case 2022-0030 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 44 **PAB CASE 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE CANOPY ROAD DESIGNATION PROGRAM:** CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES, AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS, AND PROVIDING FOR APPEALS, AND ESTABLISHING A PROCESS FOR VIOLATIONS

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Doster to recommend approval of PAB case 2022-0031 to the City Commission; AND that PAB case 2022-0031 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5. BOARD BUSINESS

There were no Board Business items to discuss.

- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT 4:00**

Taylor Hartmann. Recording Secretary

Victoria Robas, Chair



NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD SPECIAL MEETING AT 3PM

NOTICE IS HEREBY GIVEN that the Planning Advisory Board of the City of Fernandina Beach, Florida, will hold a special meeting on **Wednesday, December 14, 2022, at 3:00 PM** in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider various Land Development Code Amendments including:

PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FAÇADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

PAB 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES: AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE; AND 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.

PAB 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE A CANOPY ROAD DESIGNATION PROGRAM: CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES; AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS; AND PROVIDING FOR APPEALS; AND ESTABLISHING A PROCESS FOR VIOLATIONS.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

Copies of the applications may be inspected in the office of the Department of Planning & Conservation, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. To make an appointment with a planner, please call 904-310-3480.

February 8, 2023
News Leader Edition

**NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH**

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, February 21, 2023, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2023-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday, (904) 310-3115.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance 2023-02
Land Development Code Text Amendments - Accessory Structures and Accessory Dwelling Units

ITEM TYPE: Ordinance (w/ fiscal impact)

REQUESTED ACTION: Consider Ordinance 2023- 02 at Second Reading.

SYNOPSIS: Amends the Land Development Code for accessory structures and accessory dwelling units.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact proposed Ordinance 2023-02 at Second Reading.

Kelly Gibson, Planning Director	1/30/2023
Katie Newton, Legal Assistant	2/7/2023
Agnes White, Administrative Services Manager	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Dale Martin, City Manager	2/13/2023
Tammi E. Bach, City Attorney	2/14/2023



Date: January 18, 2023

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Enact

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FA<;ADE; AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FA<;ADE OF A PRINCIPAL STRUCTURE; AMENDING SECTION 5.01.03 (H) TO ALLOW 12 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; ADDING SECTION 5.01.03 (H)(I) 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(1) 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 THE 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.

WHEREAS, the City of Fernandina Beach has applied for a Land Development Code (LDC) text amendment to modify multiple Land Development Code Sections to address errors, omissions, and corrections, and

WHEREAS, the City Commission adopted a unified Land Development Code (LDC) on September 5, 2006, which became effective on October 1, 2006; and

WHEREAS, the City's adopted 2030 Comprehensive Plan directs changes to the Land Development Code for consistency with State Laws and current planning methods for growth and economic development; and

WHEREAS, the Planning Advisory Board held public hearings on August 10, 2022, September 14, 2022, October 12, 2022 and December 14, 2022, to discuss and consider public comment on the requested LDC Text Amendments;

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Special Meeting on Wednesday, December 14, 2022, and issued a recommendation of approval for the requested amendments; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on December 14, 2022.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the amendments attached hereto as Exhibit "A," amending multiple LDC Sections to address errors, omissions, and corrections.

SECTION 2. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately upon enactment.

ENACTED this 21st of February, 2023

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMIE.BACH
City Attorney

Date of First Reading: January 17, 2023

Date of Second Reading: February 21, 2023

Date of Publication: February 8, 2023

Print

Planning Advisory Board (PAB) - Submission #10254

Date Submitted: 11/21/2022

Planning Advisory Board (PAB) Application

USE THIS FORM TO Request actions to affect changes to property (zoning changes, annexations, allowable uses, subdivisions).

Fees

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.

☐

Zoning Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☐

Land Use Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☒

LDC Text Amendment (\$1,500)

☐

Comp Plan Amendment (\$5,000)

☐

Subdivision Plat " Preliminary (≤ 20 units \$3,000 / > 20 units \$5,000)

☐

Subdivision Plat " Final (\$1,500)

☐

Vacation of R.O.W. (\$3,500)

☐

Small Cell Outside R.O.W. (per application) (\$500)

☐

Voluntary Annexation (\$2,000)

☐

Development of Regional Impact: Amend Development Order (\$1,500)

☐

New Telecommunications Structure (\$2,000)

☐

Revision to each PAB Application - 1/2 cost of original application fee (To offset additional display ad fee)

pab 2022



IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, youâ€™ll need to meet with a City Planner prior to submitting your application. Completed applications are due 30 days prior to the Planning Advisory Board meeting date.

Please see the Land Development Code (LDC) for detailed information:



LDC Text Amendment “ see LDC Section 11.01.08.



Preliminary Subdivision Plat “ see LDC Section 11.01.05.



Final Subdivision Plat “ LDC Section 11.01.05.



Zoning Map Changes “ See LDC Section 11.01.07.

The LDC is available for review at

www.fbfl.us/LDC

Application Requirements



A complete application filed at least forty-five (45) days before the date of the Planning Advisory Board’s public hearing;



Proof of Ownership (copy of deed or tax statement);



A current survey of the property (no older than two years);



If applying as an agent, Owner’s Authorization for Agent Representation form needs to be signed/ notarized and included in application;



A detailed letter of intent stating the following:



o The consistency of the proposed amendment(s) or action(s) with the City’s Comprehensive Plan.



o A justification for the proposed amendment(s) or action(s).

Have you met with a planner for a pre-application meeting?*

Yes

What was the date of your pre-application meeting?*

11/18/2022

If you have yet to have a pre-application meeting, please choose a date and time to schedule your meeting now. Every Tuesdays are reserved for pre-application appointments.*

PROPERTY INFORMATION

[Property information can be found at the Nassau County Property Appraiser’s Website’s Map Search](#)

Site Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

0

Lot*

0

Block*

0

Subdivision*

0

Zoning District*

C-1

Future Land Use Designation*

8th St Mixed Use

REVIEW TYPE*

☐ Zoning Map Amendment ≤ 10 acres

☐ Zoning Map Amendment > 10 acres

☒ LDC Text Amendment

☐ Comp Plan Amendment

☐ Subdivision Plat “ Preliminary ≤ 20 units

☐ Subdivision Plat “ Preliminary > 20 units

☐ Subdivision Plat “ Final

☐ Vacation of R.O.W.

☐ Voluntary Annexation

☐ Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Dale

Last Name*

Martin

Company (if applicable)

City of Fernandina Beach

Mailing Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Telephone Number*

904-310-3480

Email Address*

dmartin@fbfl.city

OWNER'S AGENT

If other than owner. If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name

Dale

Last Name

Martin

Mailing Address

204 Ash Street

City

Fernandina Beach

State

FL

Zip

32034

Telephone Number

904-310-3480

E-mail Address

dmartin@fbfl.city

PROJECT INFORMATION

Previous Planning/Zoning Approvals

Summary of Request (more detailed information to be provided in required letter of intent)*

LDC Text Amendment - AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND FRONT FAÇADE OF PRINCIPAL STRUCTURE, ADDITION OF 16 INCH EAVE ENCROACHMENT ALLOWANCE INTO SIDE OR REAR SETBACK, ADDITION OF BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE; AND SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTUION 5.01.04 TO CLARIFY BUILDING HEIGH MEASUREMENT AND PLACEMENT OF ACCESSORY STRUCTURES BEHIND FRONT FAÇADE OF PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH OT-1 AND OT-2 ZONING DISTRICTS; AND AMENDING 5.02.02 TO ALLOW EXEMPTIONS FOR OVERNIGHT PARKING WITHIN PERMITTED SEASONAL SALES SITE; AND AMENDING 5.02.06 TO ADD ROLL OFF DUMPSTER AS A PERMITTED TEMPORARY STRUCTURE AND EXTENDING DURATION OF TEMPORARY USE PERMIT TO THIRTY (30) DAYS PER LOT PER YEAR, UNLESS PART OF AN ACTIVE BUILDING PERMIT.

Certification*

☒

By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.

☒

I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

Applicant First Name*

Applicant Last Name*

Dale

Martin

Today's Date*

Upload Supporting Documentation*

11/21/2022

Display Ad 113022.docx



Upload 2

Choose File No file selecte

Upload 3

Choose File No file selecte

Upload 4

Choose File No file selecte

DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 | www.fbfl.us/planning

APPROVED



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
AUGUST 10, 2022**

1. CALL TO ORDER 5:00

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair) Peter Stevenson
Genece Minshew (Vice-chair) Mark Bennett
John Boylan

MEMBERS ABSENT:

Barbara Gingher

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes from the Regular Meeting of June 8, 2022.

Member Stevenson noted that under item 4.1 he voted no, he did not abstain from voting.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

3.2 Approval of Minutes for the PAB Special Meeting of June 22, 2022.

Member Stevenson noted that under item 4.1 last line, change the word "reapproved" to "reaffirmed".

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

Chair Robas and Members agreed to hear Public Comment prior to the New Business items.

8. PUBLIC COMMENT

Jose Miranda, 309 ½ Centre Street, spoke about the current LDC definition for building footprint, as it relates to accessory dwellings and accessory structures, and requested that the Board consider amending the definition to achieve consistency and accuracy.

Michael Stauffer, 422 S. 6th Street, echoed Mr. Miranda's concern and thanked Staff for working to issue a Memorandum and addressing this concern so quickly.

James Pozzetta, 103 S. 18th Street, first disclosed that he sits on the Historic District Council as a member, spoke of the importance of this issue within the Historic District Council review process.

Judy Fitzwater, 927 S. 7th Street, spoke in favor of PAB case 2022-0024 regarding re-zoning to conservation land.

4. OLD BUSINESS

There were no Old Business items to discuss.

5. NEW BUSINESS

5.1 PAB 2022-0023 - FUTURE LAND USE MAP AND ZONING CHANGES FOR PROPERTIES LOCATED AT 1060 JEAN LAFITTE BLVD AND ON THIRD STREET TOTALING APPROXIMATELY 3.17 ACRES OF LAND FROM LOW DENSITY RESIDENTIAL (LDR / R-1) TO CONSERVATION (CON)

Ms. Forehand provided a summary of the requested action. She noted that the City would be closing on the property on 3rd Street by the end of this month of August. She also mentioned that this property is mostly wetland. Staff recommended approval.

Member Stevenson asked about if future budget allocations were in place for the maintenance of acquired properties.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to recommend approval of PAB case 2022-0023 to the City Commission; AND that PAB case 2022-0023 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.2 PAB 2022-0024 - FUTURE LAND USE AND ZONING MAP CHANGES FOR FLORIDA STATE LANDS LOCATED ON LOTS 8 + 9 S. 7TH STREET AND LOTS 3 + 4 INDIGO/S. 6TH STREET TOTALING 0.24 ACRES OF LAND FROM MEDIUM DENSITY RESIDENTIAL (MDR)/ R-2 TO CONSERVATION/CON

Ms. Forehand provided a summary of the requested action and staff recommended approval.

Judy Fitzwater, 923 S. 7th Street, spoke in favor of re-zoning to conservation land.

Breanna Pajevic, 917 S. 7th Street, voice some concerns about development near her property and would like to keep as much conservation as possible.

John Holbrook, 2009 Beech Street, spoke about the ownership of vacant parcels adjacent to the subject properties.

Margaret Kirkland, 1377 Plantation Point Drive, spoke of the importance of the conservation zoning designation on this parcel.

Judy Fitzwater, 923 S. 7th Street, noted that there is a creek close to these lots.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Boylan to recommend approval of PAB case 2022-0024 to the City Commission; AND that PAB case 2022-0024 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.3 PAB 2022-0025 - PRELIMINARY PLAT - FOR 2754 + 2766 BAILEY ROAD, FOR 12 SINGLE FAMILY LOTS

Ms. Forehand provided a summary of the requested action. She noted that this request has been reviewed by the Technical Review Committee and are awaiting the result from this review to acquire their Local Development Order. Staff recommended approval.

Margaret Kirkland, 1377 Plantation Point Drive, expressed concern regarding higher ground water levels in that area and the amount of tree and vegetation removal.

Asa Gillette, 20 S. 4th Street, was present to answer any questions and addressed the higher ground water level comment.

ACTION TAKEN: A motion was made by Member Minshew, seconded by Member Bennett to recommend approval of PAB case 2022-0025 to the City Commission; AND that PAB case 2022-0025 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5.4 PAB 2022-0022 - VOLUNTARY ANNEXATION + ZONING + LAND USE MAP AMENDMENTS - 2753 AMELIA ROAD - CHARLES HINTON GAINES + BARBARA G. HARPER

REQUEST FOR VOLUNTARY ANNEXATION FOR A PARCEL OF LAND TOTALING 0.90 ACRES OF LAND, ASSIGNMENT OF THE CITY'S FUTURE LAND USE MAP CATEGORY OF MEDIUM DENSITY RESIDENTIAL (MDR), AND ZONING DISTRICT OF MEDIUM DENSITY RESIDENTIAL (R-2) FROM NASSAU COUNTY RESIDENTIAL SINGLE-FAMILY 2 ZONING DISTRICT AND MEDIUM DENSITY LAND USE.

Ms. Forehand provided a summary of the requested action and staff recommended approval.

Members expressed concern with the R-2 and would rather see this parcel zoned R1.

Barbara Harper, 2069 Clinch Drive, owner of the parcel, stated that they would be happy with an R-1 zoning district.

Marsha Christopher, 667 Ferdinand Court, voiced a concern regarding potential development of adjacent properties.

Barbara Harper, 2069 Clinch Drive, spoke about a neighbor's request for an easement.

ACTION TAKEN: A motion was made by Member Minshew, seconded by Member Bennett to recommend approval of PAB case 2022-0022 to the City Commission; requesting a Voluntary Annexation assignment of Low Density Residential Land Use and Low Density Residential R-1 Zoning District for property located at 2753 Amelia Road be approved; AND that PAB case 2022-0022 as presented with the proposed change is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time.

Rachel Taylor, 2649 Robert Oliver Avenue, asked for clarification of the different zoning densities.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

6. BOARD BUSINESS

6.1

- a Discussion of Commission Directed LDC Text Amendments: *Impervious Surface, Gross Site Area, Defining "Marina", "Surface Water"*
- b. *Consistency of LDC Sections 8.01.02 (D) (1) and 3.03.03 (B)(1) "Water-Enhanced Uses" to be exempt from wetland buffers.*

Ms. Forehand provided a summary of the requested action and Staff's analysis.

Margaret Kirkland, 1377 Plantation Point Drive, spoke of concerns regarding the development of land located on the Amelia River.

6.2 Member Bennett requested discussion of historically platted lots of record.

Member Bennett indicated that Ms. Gibson has provided substantial information to the Board via email.

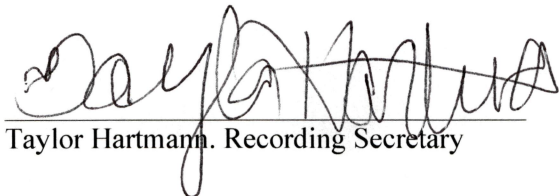
6.3 Vision 2045 Update: City Commission consideration of Vision 2045 at its regular meeting on **August 16, 2022**. Documents can be obtained from the City Commission agenda packet or the City's website at www.fbf1.us/vision2045.

The City Commission Agenda with this item is expected to be published on Tuesday, August 9, 2022.

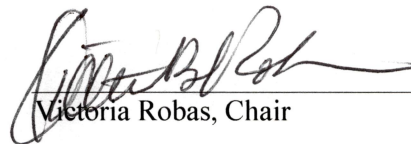
7. STAFF REPORT

Margaret Kirkland, 1377 Plantation Point Drive, spoke of concerns about the smaller platted lots of record and tree loss.

8. ADJOURNMENT 7:19



Taylor Hartmann, Recording Secretary



Victoria Robas, Chair



APPROVED

**MINUTES - AMENDED
PLANNING ADVISORY BOARD
REGULAR MEETING
SEPTEMBER 14, 2022**

1. **CALL TO ORDER 5:00**
2. **ROLL CALL / DETERMINATION OF QUORUM**

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Genece Minshew (Vice-chair)	Barbara Gingher
John Boylan	Richard Doster

MEMBERS ABSENT:

Mark Bennett

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MEETING MINUTES**

4.1 Approval of Minutes of the Regular Meeting of August 10, 2022.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the minutes as presented.

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

5. **OLD BUSINESS**

There were no Old Business items to discuss.

6. **NEW BUSINESS**

There were no New Business items to discuss.

7. **BOARD BUSINESS**

Board members agreed to discuss the topic of affordable housing prior to the listed items on the agenda.

City Attorney Bach provided the Board with an overview of the Florida Statute regulating the renting of accessory dwelling units.

Member decided to discuss item 7.1 first.

7.1 LDC AMENDMENTS DISCUSSION

- City Commission Recommendation Changes
 - Ms. Forehand provided the Board with an overview of the proposed text amendment options for chapter one definitions including building area, surface water, and marina.
- Accessory Dwelling Unit (ADU) - footprints/overhang
 - James Pozzetta, 103 S. 18th Street, inquired about some of the proposed language relating to permissible building projections on accessory structures.
 - Jose Miranda, Miranda Architects, spoke about the difficulties design professionals are facing.
- Accessory Dwelling Unit (ADU) Memo
 - Ms. Gibson explained that the memo has been issued and clarified that the memo is consistent with the language that has been presented.

7.2 Discussion: Advertising Costs.

Ms. Gibson provided the Board with an overview of the standard and anticipated advertising costs.

7.3 Continuation of discussion on historically platted lots of record.

This item was discussed first.

Members agreed that this item should be postponed until Member Bennett returns in October.

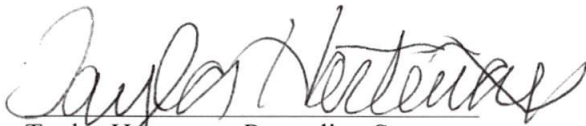
8. STAFF REPORT

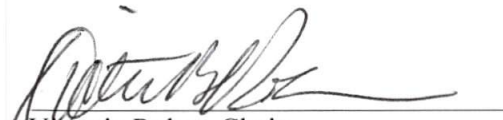
Ms. Forehand indicated that she has created a survey to understand how the community is interacting with the LDC.

9. PUBLIC COMMENT

No parties wished to speak.

10. ADJOURNMENT 7:10


Taylor Hartmann, Recording Secretary


Victoria Robas, Chair



**MINUTES AMENDED
PLANNING ADVISORY BOARD
REGULAR MEETING
OCTOBER 12, 2022**

1. CALL TO ORDER 5:00 PM

**ROLL CALL / DETERMINATION OF QUORUM
MEMBERS PRESENT:**

Victoria Robas (Chair)	Peter Stevenson
Genece Minshew (Vice-chair)	Mark Bennett
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:
None

OTHERS PRESENT:
Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes for the Regular Meeting of September 14, 2022.

Member Stevenson noted that under Members Present Member Doster's name is missing.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

4. OLD BUSINESS

There were no Old Business items to discuss.

5. NEW BUSINESS

There were no New Business items to discuss.

6. BOARD BUSINESS

6.1 DISCUSSION OF FUTURE LDC AMENDMENTS

a. 1.00.07 Definitions

- b. 4.05.16 Canopy Roads (as directed by Mayor Lednovich)
- c. 5.01.03 Accessory Structures
- d. 5.01.04 Accessory Dwelling Units (ADU)
- e. 8.01.01.02 Specific Requirements within OT-1 and OT-2 Districts
- f. 5.02.02 Seasonal Sales
- g. 5.02.03 Moveable Module Storage Units and Roll-Off Dumpsters

Chair Robas stated that the topic of density was raised as a significant concern during the recently held Candidate Forum.

Members discussed ways to provide more information to the public.

Member Doster noted that a look a density should be dealt way before development begins and should be looked at years ahead.

Member Bennett mentioned that an awareness of how many remaining vacant lots of record within the City limit would offer some insight on how these lots could be analyzed and what amendment could be proposed in the future regarding density.

Member Minshew spoke about her request for the Planning & Conservation Department's Goals for 2023.

Ms. Forehand presented some of the amendments of some Standards from Chapter 6 and asked for some input from the Board. Member Stevenson also noted that looking at Chapter 3 relating to the Waterfront planning would also be a good idea. Ms. Forehand also spoke of Surface Water definition.

The Board reviewed the proposed tree canopy road amendments and discussed pros and cons, such as the process of designating canopy roads and the impact of trees located on private property. Ms. Gibson noted that the City Commission would need to provide direction on the process. Ms. Gibson answered some additional questions from members.

Ms. Forehand presented her analysis regarding Accessory Structures in Chapter 5. Members asked Staff questions regarding location of the structures.

James Pozzetta, architect, 103 S. 18th Street, asked if these changes would impact the compliance of existing front porches, enclosures or any front façade.

Betsy Huben, 4615 Philips Manor Place, expressed concern with text amendments potentially limiting the uses on older properties.

Mike Stauffer, 422 S. 6th Street, spoke about the proposed accessory structure amendments and the percentage threshold of improvement to a non-compliant property, and a memo of understanding regarding height measurements in flood zone. Upon his suggestion, Staff will adjust the language of these amendments to Accessory Dwelling Units (ADU) consistent with the one regarding the principal structure in Chapter 4.

Members raised questions about properties in Old Town and the current code requirements. Ms. Bach noted she will look up the code and provide insight regarding the Historic District Guidelines.

Mike Stauffer, 4615 Philips Manor Place, questioned the definition of total building area and total floor area.

Members had no questions regarding the amendments to Seasonal Sales.

Members discussed the possibility to amend the language regarding POD and Roll-Off Dumpsters to include a wider timeframe if the permit is associated with a building permit.

Lauree Hemke, 751 Barrington Drive, commented on the amount of work going into LDC amendments and asked that the Board not lose sight of the bigger picture and the public input from the 2019 EAR.

7. STAFF REPORT

City Attorney Bach provided the Board with an overview of the City Commission and City Manager direction on how to address the Comprehensive Plan revisions.

Ms. Gibson commented that, currently, the priority is to provide the Board with a final document of the LDC restructuring by January 2023. She also mentioned that this doesn't stop members to look into the Comprehensive Plan and provide some feedback. Members discussed goals for 2023.

Ms. Forehand provided a timeline regarding the LDC restructuring & Municode Integration in 2023.

Member Minshew suggested that a communication strategy be established between the public, the professional community, the Board Members and the Commission, and that a couple of workshops be set up in between January and March of 2023.

8. PUBLIC COMMENT

Lori Hemke, 751 Barrington Drive, spoke in favor of public involvement with the LDC restructuring.

9. ADJOURNMENT 7:36 PM

Taylor Hartmann, Recording Secretary

Victoria Robas, Chair



**MINUTES
PLANNING ADVISORY BOARD
SPECIAL MEETING
DECEMBER 14, 2022**

1. CALL TO ORDER 3:00

2. ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:

Mark Bennett

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Deputy Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. NEW BUSINESS

- 4.1 **PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

Member Stevenson presented an alternative definition of surface water for members to consider.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0028 to the City Commission; AND that PAB case 2022-0028 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 4.2 **PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FACADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FACADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND the FRONT FACADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

Betsey Huben, 4615 Philips Manor Place, spoke about the inability of existing accessory structures to become ADUs.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0029 to the City Commission; AND that PAB case 2022-0029 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 43 **PAB CASE 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES:** AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE, AND 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.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0030 to the City Commission; AND that PAB case 2022-0030 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 44 **PAB CASE 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE CANOPY ROAD DESIGNATION PROGRAM:** CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES, AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS, AND PROVIDING FOR APPEALS, AND ESTABLISHING A PROCESS FOR VIOLATIONS

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Doster to recommend approval of PAB case 2022-0031 to the City Commission; AND that PAB case 2022-0031 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5. BOARD BUSINESS

There were no Board Business items to discuss.

- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT 4:00**

Taylor Hartmann, Recording Secretary

Victoria Robas, Chair



NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD SPECIAL MEETING AT 3PM

NOTICE IS HEREBY GIVEN that the Planning Advisory Board of the City of Fernandina Beach, Florida, will hold a special meeting on **Wednesday, December 14, 2022, at 3:00 PM** in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider various Land Development Code Amendments including:

PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FAÇADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

PAB 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES: AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE; AND 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.

PAB 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE A CANOPY ROAD DESIGNATION PROGRAM: CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES; AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS; AND PROVIDING FOR APPEALS; AND ESTABLISHING A PROCESS FOR VIOLATIONS.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

Copies of the applications may be inspected in the office of the Department of Planning & Conservation, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. To make an appointment with a planner, please call 904-310-3480.

February 8, 2023
News Leader Edition

**NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH**

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, February 21, 2023, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FAÇADE; AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AMENDING SECTION 5.01.03 (H) TO ALLOW 12 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; ADDING SECTION 5.01.03 (H)(I) 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(1) 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 THE 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 FAÇADE 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.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/ COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday, (904) 310-3115.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance 2023-04
Land Development Code Text Amendments - Canopy Road Designation Program

ITEM TYPE: Ordinance (w/ fiscal impact)

REQUESTED ACTION: Consider Ordinance 2023-04 at Second Reading.

SYNOPSIS: A canopy road designation process ordinance was drafted at the direction of former Mayor Lednovich and the City Commission in a workshop setting. This Ordinance was approved at First Reading by the City Commission at its January 17, 2023, regular meeting.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact proposed Ordinance 2023-04 at Second Reading.

Kelly Gibson, Planning Director	1/30/2023
Katie Newton, Legal Assistant	2/7/2023
Agnes White, Administrative Services Manager	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Dale Martin, City Manager	2/13/2023
Tammi E. Bach, City Attorney	2/14/2023

Date: January 18, 2023

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Enact

ORDINANCE 2023-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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

WHEREAS, the City of Fernandina Beach has applied for an LDC text amendment to create a canopy tree road ordinance; and

WHEREAS, the City Commission adopted a unified Land Development Code (LDC) on September 5, 2006, which became effective on October 1, 2006; and

WHEREAS, the drafted ordinance was created to be substantively similar to the Nassau County Canopy Road ordinance for consistency and clarity; and

WHEREAS, the intent of the Canopy Road ordinance is to protect the City's mature canopy extending over roadways and reduce impacts of utility line clearing as consistent with Florida Statute I 63.3209; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Special Meeting on Wednesday, December 14, 2022, and issued a recommendation of approval for the requested amendments; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on Wednesday, November 30, 2022.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the amendments attached hereto as Exhibit "A," create a "Canopy Road ordinance.

SECTION 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 3. This Ordinance shall become effective immediately upon enactment.

ENACTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

Date of First Reading: January 17, 2023
Date of Second Reading: February 21, 2023
Date of Publication: February 8, 2023

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS
PAB CASE 2022-31 CREATION OF A CANOPY ROAD DESIGNATION PROGRAM
DECEMBER 2022

Chapter 4 Changes

4.05.16 (Renumbering sections which follow) CANOPY ROADS.

- A. Purpose and Intent.** The purpose and intent of a designated Canopy Road is to protect the mature canopy extending over roadways and to avoid utility line clearing actions which would impact the scenic character of the roadway as consistent with Florida Statute 163.3209.
- B. Designation.** The City Commission may designate roads or portion of said roads as Canopy Roads, by ordinance, based upon criteria set forth herein. The City Manager or designee may recommend, based upon the criteria, that roads or portion of said roads be considered, or by a petition of fifty-one (51) percent of the property owners abutting the road may request that a road be considered. Said petition must be submitted to the Planning and Conservation Department for review and comment, and a report made to the City Commission. The application criteria must **consider**: (1) historic significance; (2) scenic criteria (including tree canopy); (3) ecological significance; (4) length and current width; (5) land use map designation; (6) zoning of the property within the area; (7) traffic information; (8) tree survey, and (9) certified arborist assessment which evaluates the existing health conditions of the trees along the roadway.

The City Manager or designee will ensure that the trees are identified and recorded on the proposed roadway and zone and present the information to the City Commission for its approval. The identification and recordation must be in a form that can be attached to an ordinance.

Designation of a Canopy Road occurs by adoption of an ordinance, which references the exact method by which the trees were identified and recorded and attached as an exhibit. Any ordinance proposing to designate a roadway as a Canopy Road will be considered by the Planning Advisory Board after mailed, published, and posted public notice. The Planning Advisory Board will conduct a public hearing and make recommendations to the City Commission. The City Commission will consider the recommendations pursuant to the procedural requirements of this Land Development Code.

C. Development Restrictions.

1. The City will not widen or increase the number of motorized vehicle lanes on any of the City roads designated as Canopy Roads. Sidewalks or bike lanes may be extended on designated Canopy Roads following an analysis of the road section impacted by the proposed improvement within the Canopy Road Protection Zone. The analysis must include a narrative description of the affected roadway section together with other material helpful in assessing the impact of the intrusion on the existing canopy road effect. Such characteristics as understory density and species composition, tree species and size distribution, high bank areas and opacity should be included as appropriate. A replanting and management plan designed to mitigate the visual and vegetation impacts identified is required.
2. The erection of markers or signage indicating that the road is a Canopy Road will only be accomplished at the direction of the City Manager or designee.
3. The setting and posting of speed limits and warning of restricted roadway shoulders are permissible.
4. The setting of classes of vehicular travel, including weight and height limitations are permissible.
5. If a site has access by roads other than the designated Canopy Road, access from the Canopy Road is prohibited. Where access is permissible, driveway dimensional width requirements may be reduced to reduce impact to protected trees.
6. No trees, except as identified in Florida's Most Invasive Species List, Category I, which have attained a diameter of five (5) inches in diameter at breast height (DBH) may be removed, except as provided in the following subsection E.
7. Overhead obstructions can be removed to provide minimum clearance of 14 feet 6 inches (14.5') as required by federal and state guidelines.

D. Canopy Road Protection Zone.

**PROPOSED LAND DEVELOPMENT CODE AMENDMENTS
PAB CASE 2022-31 CREATION OF A CANOPY ROAD DESIGNATION PROGRAM
DECEMBER 2022**

The Canopy Road Protection Zone will be designated by the City Commission to establish the area of the canopy road and necessary adjacent lands where the canopy exists. The zone includes the public or private right-of-way as established by the City Manager or designee and any additional areas of uniform width along the roadway including principal structure setback requirements based upon the zoning classification on private property, trees as depicted on the survey, and location of existing structures. The zone must be set forth in the proposed designation ordinance and depicted in a map exhibit that defines dimensional extent onto any private property. No permanent structures can be placed within the approved zone of the canopy road. Temporary structures or temporary access are permitted if no tree removal or trimming is necessitated by their placement and following a determination of impact and any mitigation measures to protect surrounding trees from a certified arborist.

E. Criteria and Application for Canopy Road Tree Removal.

1. Criteria for Tree Removal.

- A. The City Manager or designee may authorize, without the approval of the City Commission, the removal of trees in the public right-of-way which pose an immediate safety hazard to pedestrians or other persons, buildings, or other property, or vehicular traffic, or which threatens to cause disruption of public services. Any hazardous trees, including diseased or pest infested trees, must be verified as dead or in need of immediate attention by the City Arborist or other certified arborist. If a hazardous condition can be resolved by trimming, only the City arborist or other certified arborist can identify specific portions of the trees to be trimmed.
- B. The City Manager or designee will recommend approval to the City Commission of a permit for removal of a tree within the Canopy Road Zone following an evaluation by the City Arborist and a 3rd party certified arborist determining that no feasible alternative exist to avoid removal and if the applicant demonstrates the presence of one or more of the following conditions:
 - 1. Good forestry and environmental practices, such as the necessity to reduce competition between trees and deter the spread of invasive non-native plant and tree species;
 - 2. Tree removal which is essential for reasonable and permissible use of essential improvements, resulting from:
 - A. Need for access immediately around the proposed structure for essential construction equipment, limited to a maximum width of twenty (20) feet from the structure.
 - B. Limited access to the building site essential for reasonable use of construction equipment.
 - C. Essential grade changes. Essential grade changes are those grade changes needed to implement safety standards common to standard engineering or architectural practices, and reference to a text where such standards are found will be required.
 - D. Location of driveways, buildings, or other permanent improvements for which no alternative exists to avoid removal.

2. Removal Applications and Process.

- A. All permits for removal or relocation of trees, or for pruning management, within the canopy road tree protection zone (unless such activity is permitted under an approved general permit), must be obtained by making application to the City Manager or designee and approved by the City Commission.
- B. The permit application for removal of trees or vegetation in the canopy road tree protection zone must be accompanied by a mitigation plan which must include, at a minimum, the following:
 - 1. An analysis documenting the purpose that necessitates the tree removal and explaining why the project cannot be modified to avoid the need for tree removal.
 - 2. An analysis of the canopy road section to be impacted by the proposed activity within the canopy road tree protection zone. The analysis must include a narrative description of the affected roadway section together with other material helpful in assessing the impact of the intrusion of the existing canopy road effect. Such characteristics as under-brush density and species composition, tree species and size distribution, high bank areas, and capacity must be included as appropriate.

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS
PAB CASE 2022-31 CREATION OF A CANOPY ROAD DESIGNATION PROGRAM
DECEMBER 2022

- 3. A replanting and management plan designed to mitigate the visual and vegetation impacts.
- C. Prior to determination on a permit application, the City Manager or designee, must conduct an on-site inspection.
- D. The City Commission must approve or deny a tree removal permit by resolution request at a regularly scheduled meeting of the City Commission.
- E. Any permit that is denied may be appealed to the City Commission within thirty (30) days of the date of denial by filing a request with the Department of Planning and Conservation.
- F. Traffic safety regarding canopy road designation.** Traffic safety on the designated Canopy Road must be promoted by the utilization of speed control devices and by limiting truck traffic to local delivery trucks and setting speed limits. The City Manager or designee must provide speed control devices and signage restrictions as deemed necessary.
- G. Traffic directional signs.** The City Manager or designee may recommend to the City Commission that traffic, other than local vehicular traffic, be routed on canopy roads upon providing information that:
 - 1. The road has been previously utilized for non-local traffic.
 - 2. The routing of other than local traffic does not create safety concerns or adversely affect the Canopy Road.
 - 3. There is a need and necessity to route other than local traffic.
 - 4. Said recommendations must be placed on the City Commission's agenda.
- H. Appeal.** Any decision of the City Manager or designee that does not require approval of the City Commission may be appealed to the City Commission. All appeals must be in writing and provided to the City Clerk's office at least thirty (30) days prior to the next regularly scheduled City Commission meeting. Said appeal must be placed on the agenda for consideration by the City Commission.
- I. Violation.** Any person, firm, or corporation who refuses to comply with or violates any provision of this section will be punished according to law, and upon conviction for such offenses, will be punished by a fine amount defined in LDC Section 11.08.04. Each day of continued noncompliance or violation will constitute a separate offense.

STAFF OVERVIEW: Additions to chapter 4 at the request of the Mayor.

Print

Planning Advisory Board (PAB) - Submission #10256

Date Submitted: 11/21/2022

Planning Advisory Board (PAB) Application

USE THIS FORM TO Request actions to affect changes to property (zoning changes, annexations, allowable uses, subdivisions).

Fees

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.

☐

Zoning Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☐

Land Use Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)

☒

LDC Text Amendment (\$1,500)

☐

Comp Plan Amendment (\$5,000)

☐

Subdivision Plat " Preliminary (≤ 20 units \$3,000 / > 20 units \$5,000)

☐

Subdivision Plat " Final (\$1,500)

☐

Vacation of R.O.W. (\$3,500)

☐

Small Cell Outside R.O.W. (per application) (\$500)

☐

Voluntary Annexation (\$2,000)

☐

Development of Regional Impact: Amend Development Order (\$1,500)

☐

New Telecommunications Structure (\$2,000)

☐

Revision to each PAB Application - 1/2 cost of original application fee (To offset additional display ad fee)

pab 2022



IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, you’ll need to meet with a City Planner prior to submitting your application. Completed applications are due 30 days prior to the Planning Advisory Board meeting date.

Please see the Land Development Code (LDC) for detailed information:



LDC Text Amendment “ see LDC Section 11.01.08.



Preliminary Subdivision Plat “ see LDC Section 11.01.05.



Final Subdivision Plat “ LDC Section 11.01.05.



Zoning Map Changes “ See LDC Section 11.01.07.

The LDC is available for review at

www.fbfl.us/LDC

Application Requirements



A complete application filed at least forty-five (45) days before the date of the Planning Advisory Board’s public hearing;



Proof of Ownership (copy of deed or tax statement);



A current survey of the property (no older than two years);



If applying as an agent, Owner’s Authorization for Agent Representation form needs to be signed/ notarized and included in application;



A detailed letter of intent stating the following:



o The consistency of the proposed amendment(s) or action(s) with the City’s Comprehensive Plan.



o A justification for the proposed amendment(s) or action(s).

Have you met with a planner for a pre-application meeting?*

Yes

What was the date of your pre-application meeting?*

11/18/2022

If you have yet to have a pre-application meeting, please choose a date and time to schedule your meeting now. Every Tuesdays are reserved for pre-application appointments.*

PROPERTY INFORMATION

[Property information can be found at the Nassau County Property Appraiser’s Website’s Map Search](#)

Site Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

0

Lot*

0

Block*

0

Subdivision*

0

Zoning District*

C-1

Future Land Use Designation*

8th St Mixed Use

REVIEW TYPE*

☐ Zoning Map Amendment ≤ 10 acres

☐ Zoning Map Amendment > 10 acres

☒ LDC Text Amendment

☐ Comp Plan Amendment

☐ Subdivision Plat “ Preliminary ≤ 20 units

☐ Subdivision Plat “ Preliminary > 20 units

☐ Subdivision Plat “ Final

☐ Vacation of R.O.W.

☐ Voluntary Annexation

☐ Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Dale

Last Name*

Martin

Company (if applicable)

City of Fernandina Beach

Mailing Address*

204 Ash Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Telephone Number*

904-310-3480

Email Address*

dmartin@fbfl.city

OWNER'S AGENT

If other than owner. If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name

Dale

Last Name

Martin

Mailing Address

204 Ash Street

City

Fernandina Beach

State

FL

Zip

32034

Telephone Number

904-310-3480

E-mail Address

dmartin@fbfl.city

PROJECT INFORMATION

Previous Planning/Zoning Approvals

Summary of Request (more detailed information to be provided in required letter of intent)*

LDC Text Amendments

Certification*



By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.



I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

Applicant First Name*

Dale

Applicant Last Name*

Martin

Today's Date*

11/21/2022

Upload Supporting Documentation*

Display Ad 113022.docx



Upload 2

Choose File

No file selected

Upload 3

Choose File

No file selected

Upload 4

Choose File

No file selected

DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 | www.fbfl.us/planning



**MINUTES AMENDED
PLANNING ADVISORY BOARD
REGULAR MEETING
OCTOBER 12, 2022**

1. CALL TO ORDER 5:00 PM

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Genece Minshew (Vice-chair)	Mark Bennett
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:

None

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes for the Regular Meeting of September 14, 2022.

Member Stevenson noted that under Members Present Member Doster's name is missing.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Minshew to approve the Minutes with the noted amendment.

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

4. OLD BUSINESS

There were no Old Business items to discuss.

5. NEW BUSINESS

There were no New Business items to discuss.

6. BOARD BUSINESS

6.1 DISCUSSION OF FUTURE LDC AMENDMENTS

a. 1.00.07 Definitions

- b. 4.05.16 Canopy Roads (as directed by Mayor Lednovich)
- c. 5.01.03 Accessory Structures
- d. 5.01.04 Accessory Dwelling Units (ADU)
- e. 8.01.01.02 Specific Requirements within OT-1 and OT-2 Districts
- f. 5.02.02 Seasonal Sales
- g. 5.02.03 Moveable Module Storage Units and Roll-Off Dumpsters

Chair Robas stated that the topic of density was raised as a significant concern during the recently held Candidate Forum.

Members discussed ways to provide more information to the public.

Member Doster noted that a look a density should be dealt way before development begins and should be looked at years ahead.

Member Bennett mentioned that an awareness of how many remaining vacant lots of record within the City limit would offer some insight on how these lots could be analyzed and what amendment could be proposed in the future regarding density.

Member Minshew spoke about her request for the Planning & Conservation Department's Goals for 2023.

Ms. Forehand presented some of the amendments of some Standards from Chapter 6 and asked for some input from the Board. Member Stevenson also noted that looking at Chapter 3 relating to the Waterfront planning would also be a good idea. Ms. Forehand also spoke of Surface Water definition.

The Board reviewed the proposed tree canopy road amendments and discussed pros and cons, such as the process of designating canopy roads and the impact of trees located on private property. Ms. Gibson noted that the City Commission would need to provide direction on the process. Ms. Gibson answered some additional questions from members.

Ms. Forehand presented her analysis regarding Accessory Structures in Chapter 5. Members asked Staff questions regarding location of the structures.

James Pozzetta, architect, 103 S. 18th Street, asked if these changes would impact the compliance of existing front porches, enclosures or any front façade.

Betsy Huben, 4615 Philips Manor Place, expressed concern with text amendments potentially limiting the uses on older properties.

Mike Stauffer, 422 S. 6th Street, spoke about the proposed accessory structure amendments and the percentage threshold of improvement to a non-compliant property, and a memo of understanding regarding height measurements in flood zone. Upon his suggestion, Staff will adjust the language of these amendments to Accessory Dwelling Units (ADU) consistent with the one regarding the principal structure in Chapter 4.

Members raised questions about properties in Old Town and the current code requirements. Ms. Bach noted she will look up the code and provide insight regarding the Historic District Guidelines.

Mike Stauffer, 4615 Philips Manor Place, questioned the definition of total building area and total floor area.

Members had no questions regarding the amendments to Seasonal Sales.

Members discussed the possibility to amend the language regarding POD and Roll-Off Dumpsters to include a wider timeframe if the permit is associated with a building permit.

Lauree Hemke, 751 Barrington Drive, commented on the amount of work going into LDC amendments and asked that the Board not lose sight of the bigger picture and the public input from the 2019 EAR.

7. STAFF REPORT

City Attorney Bach provided the Board with an overview of the City Commission and City Manager direction on how to address the Comprehensive Plan revisions.

Ms. Gibson commented that, currently, the priority is to provide the Board with a final document of the LDC restructuring by January 2023. She also mentioned that this doesn't stop members to look into the Comprehensive Plan and provide some feedback. Members discussed goals for 2023.

Ms. Forehand provided a timeline regarding the LDC restructuring & Municode Integration in 2023.

Member Minshew suggested that a communication strategy be established between the public, the professional community, the Board Members and the Commission, and that a couple of workshops be set up in between January and March of 2023.

8. PUBLIC COMMENT

Lori Hemke, 751 Barrington Drive, spoke in favor of public involvement with the LDC restructuring.

9. ADJOURNMENT 7:36 PM

Taylor Hartmann, Recording Secretary

Victoria Robas, Chair



**MINUTES
PLANNING ADVISORY BOARD
SPECIAL MEETING
DECEMBER 14, 2022**

1. CALL TO ORDER 3:00

2. ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Victoria Robas (Chair)	Peter Stevenson
Barbara Gingher	John Boylan
Richard Doster	

MEMBERS ABSENT:

Mark Bennett

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Deputy Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. NEW BUSINESS

- 4.1 **PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

Member Stevenson presented an alternative definition of surface water for members to consider.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0028 to the City Commission; AND that PAB case 2022-0028 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 4.2 **PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS:** AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FACADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FACADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND the FRONT FACADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

Betsey Huben, 4615 Philips Manor Place, spoke about the inability of existing accessory structures to become ADUs.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0029 to the City Commission; AND that PAB case 2022-0029 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 43 **PAB CASE 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES:** AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE, AND 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.

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher to recommend approval of PAB case 2022-0030 to the City Commission; AND that PAB case 2022-0030 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

- 44 **PAB CASE 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE CANOPY ROAD DESIGNATION PROGRAM:** CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES, AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS, AND PROVIDING FOR APPEALS, AND ESTABLISHING A PROCESS FOR VIOLATIONS

Ms. Forehand provided the Board with an overview of the history of the proposed amendments.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Doster to recommend approval of PAB case 2022-0031 to the City Commission; AND that PAB case 2022-0031 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5. BOARD BUSINESS

There were no Board Business items to discuss.

- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT 4:00**

Taylor Hartmann. Recording Secretary

Victoria Robas, Chair



NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD SPECIAL MEETING AT 3PM

NOTICE IS HEREBY GIVEN that the Planning Advisory Board of the City of Fernandina Beach, Florida, will hold a special meeting on **Wednesday, December 14, 2022, at 3:00 PM** in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider various Land Development Code Amendments including:

PAB CASE 2022-28 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATING TO WATERFRONT DEVELOPMENT AND MARINAS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR MARINA AND SURFACE WATER; AND AMENDING SECTION 3.03.03(B)(1) TO INCLUDE WATER ENHANCED USES AS EXEMPT FROM THE REQUIRED BUFFERS; AND ADDING MARINAS AS A PERMISSIBLE PRINCIPAL USE WITHIN RECREATIONAL (REC) ZONING DISTRICT IN SECTION 2.03.02 TABLE OF LAND USES.

PAB CASE 2022-29 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO ACCESSORY STRUCTURES AND ACCESSORY DWELLING UNITS: AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITIONS TO ADD DEFINITIONS FOR BUILDING AREA AND FRONT FAÇADE; AND AMENDING LDC 5.01.03(H) CLARIFYING PLACEMENT OF DETACHED ACCESSORY BUILDINGS BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND REVISING SECTION 5.01.03. (H) TO ALLOW 16 INCH EAVE ENCROACHMENTS INTO SIDE OR REAR SETBACKS FOR ACCESSORY STRUCTURES; AND 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; AND AMENDING SECTION 5.01.03(I) CLARIFYING THE MAXIMUM BUILDING AREA FOR DETACHED ACCESSORY BUILDINGS; AND AMENDING SECTION 5.01.04 (A)(3) TO CLARIFY ACCESSORY DWELLING UNIT BUILDING HEIGHT MEASUREMENT FROM AVERAGE NATURAL GRADE TO THE ROOF PEAK UNLESS LOCATED IN A SPECIAL FLOOD HAZARD AREA; AND AMENDING SECTION 5.01.04 (A)(4) DIRECTING ACCESSORY DWELLING UNIT PLACEMENT BEHIND THE FRONT FAÇADE OF A PRINCIPAL STRUCTURE; AND AMENDING SECTION 8.01.01.02 (6) TO CLARIFY ACCESSORY STRUCTURE HEIGHT CALCULATION WITH THE OT-1 AND OT-2 ZONING DISTRICTS.

PAB 2022-30 LAND DEVELOPMENT CODE TEXT AMENDMENTS RELATED TO SEASONAL SALES OVERNIGHT PARKING AND TEMPORARY PORTABLE STRUCTURES: AMENDING SECTION 5.02.02 (D) TO ALLOW AN EXEMPTION FOR OVERNIGHT PARKING WITHIN A PERMITTED SEASONAL SALES SITE; AND 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.

PAB 2022-31 LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CREATE A CANOPY ROAD DESIGNATION PROGRAM: CREATING A NEW SECTION 4.05.17 FOR CANOPY ROAD DESIGNATION; INCORPORATING CERTAIN DEVELOPMENT RESTRICTIONS FOR PROTECTION OF ANY DESIGNATED CANOPY ROADS; ESTABLISHING CANOPY ROAD PROTECTION ZONES; AND RESTRICTING TREE REMOVAL ON DESIGNATED CANOPY ROADS; AND PROVIDING FOR APPEALS; AND ESTABLISHING A PROCESS FOR VIOLATIONS.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

Copies of the applications may be inspected in the office of the Department of Planning & Conservation, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. To make an appointment with a planner, please call 904-310-3480.

February 8, 2023
News Leader Edition

**NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH**

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, February 21, 2023, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2023-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday, (904) 310-3115.

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Ordinance 2023-05
Code Amendment - Elections

ITEM TYPE: Ordinance (w/ fiscal impact)

REQUESTED ACTION: Consider Ordinance 2023-05 at Second Reading.

SYNOPSIS: This item would amend the City's Code of Ordinances, Chapter 34, Elections, to change the City general election date from November to August to coincide with the state primary election date, which is 11 weeks prior to the general election date held on the first Tuesday after the first Monday in November of every even-numbered year;

Section 34-9 of the City Code is obsolete and should be repealed because the City Charter, Section 16 preempts the City Code and was amended by City voters in March 2021. Section 34-10 should be amended to provide for the annual organizational meeting date to coincide with the new City general election date in August.

The attached 2022 Runoff Election expenses are accurate at the time of agenda publication. Staff anticipates receiving two additional invoices from the Nassau County Supervisor of Elections Office which will increase the total expenses.

This Ordinance was approved at First Reading by the City Commission on January 17, 2023.

FISCAL IMPACT: Costs associated with conducting the runoff election on the same day as the state primary will be significantly reduce and/or eliminate costs to the City.

CITY ATTORNEY COMMENTS: See synopsis.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission enact proposed Ordinance 2023-05 at Second Reading.

Katie Newton, Legal Assistant	1/18/2023
Agnes White, Administrative Services Manager	2/13/2023
Pauline Testagrose, Comptroller	2/13/2023
Dale Martin, City Manager	2/14/2023
Tammi E. Bach, City Attorney	2/14/2023

Date: January 18, 2023

Submitted By: Katie Newton, Legal Assistant

COMMISSION ACTION: Enact

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, the City Commission believes it is in the best interest of the citizens to amend the City Code of Ordinances, specifically, Chapter 34, Elections, Section 34-1 to change City general election date to August to coincide with the state primary election date, which is 11 weeks prior to the general election date held on the first Tuesday after the first Monday in November of every even-numbered year; and

WHEREAS, Section 34-9 of the City Code is obsolete and should be repealed because the City Charter, Section 16 preempts the City Code and was amended by City voters in April 2021; and

WHEREAS, Section 34-10 should be amended to provide for the annual organizational meeting date to coincide the with new City general election date in August.

NOW, THEREFORE, THE CITY OF FERNANDINA BEACH, FLORIDA, HEREBY ENACTS:

SECTION 1. It is proposed that Chapter 34, Section 34-1, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 34-1. - Municipal elections.

(a) All City elections shall be held ~~on the first Tuesday after the first Monday in November of each year~~ on the date of the state primary election held 11 weeks prior to the state general election date in November for the election of members of the City commission. Such elections ~~shall~~ will be non-partisan elections. In the event a runoff or second election ~~shall~~ becomes necessary, as set forth in the Charter § 9(c), then and in that event all runoff or second elections ~~shall~~ will be held on the ~~second Tuesday in December of each year.~~ first Tuesday after the first Monday in November of every even-numbered years on the same date as the general election for county, state and federal offices.

(b) Notice of the date of the election must shall comply with state election laws. ~~be given.~~ Such notice shall include a sample ballot. ~~The notice shall be published at least one time in a newspaper of general circulation in the week prior to the date of the election, and again in the week prior to the run-off election.~~

(c) The expense of holding any election provided for in this section, including but not limited to the expense of preparing the ballots, blanks and other supplies to be used in any election in this City and all expenses necessarily incurred in the preparation for and in the conduct of such election, shall will be paid out of the City budget. ~~treasury.~~

(d) Any qualified elector, as defined by state law, shall will be entitled to vote at the election ~~and shall receive the official ballot for the election.~~

(e) ~~The polls shall open and close at the same hour or time required under general law for the opening and closing of polls for state elections. The requirements for holding elections as set forth in the state election laws shall govern the conduct of the election.~~

SECTION 2. It is proposed that Chapter 34, Section 34-9, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby repealed as follows:

~~Sec. 34-9. Election of mayor by straw ballot.~~

(a) ~~—The mayor of the city shall be selected by virtue of a straw ballot election to be held in conjunction with the regular election held for the purpose of electing city commissioners. The results of the straw ballot shall be taken under advisement by the city commission for the appointment of the mayor at the organizational meeting to be held in accordance with section 34-10.~~

(b) ~~—The straw ballot election shall be held in accordance with the requirements of section 123A of the Charter of the city and of this chapter, as they may be amended.~~

(c) ~~—Candidates for the straw ballot election shall consist of incumbent commissioners who are not subject to reelection to the city commission. Any eligible candidate not wishing to be considered for the position of mayor shall request in writing, no later than 30 days before the general election, that his name be deleted from the straw ballot.~~

(d) ~~—The candidate receiving the highest number of votes in the straw ballot shall be given primary consideration for the appointment as mayor at the organizational meeting. In the event that there should be a tie vote among the top eligible candidates, the tie shall be broken by the flip of a coin, with the winner being given the primary consideration and the loser being considered for the vice-mayor position.~~

(e) ~~—On the occasion that all eligible candidates should request that their names not be placed on the straw ballot, then no straw ballot election shall be held and the city commission shall appoint a mayor and vice-mayor from its membership at the organizational meeting.~~

(f) ~~On the occasion that all eligible candidates but one should withdraw from the straw ballot election, there shall be no straw ballot election and the one remaining candidate shall be considered the primary candidate for the position of mayor at the organizational meeting.~~

(g) ~~The appointee shall serve as mayor until the organizational meeting following the next regular general election held by the city.~~

SECTION 3. It is proposed that Chapter 34, Section 34-10, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 34-10. - Annual organizational meeting.

At 5:00 p.m. on the ~~third Tuesday in December~~ the third Tuesday of November of each year, or at such other reasonable time or date that the City commission may designate, the City commission shall meet at the usual place for holding its meetings, at which time the newly elected commissioner or commissioners shall assume the duties of office as contemplated by the Charter of the City.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof is held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application will not be affected thereby.

SECTION 5. The provisions of this Ordinance will take effect immediately upon its passage and enactment.

ENACTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

Date of First Reading: January 17, 2023
Date of Second Reading/Final Hearing: February 21, 2023
Date of Publication: February 8, 2023

2022 RUNOFF ELECTION EXPENSES

Ballot on Demand & EpressVote	\$ 706.76
Certified Mailings	\$15.64
Election Workers	\$9,428.13
Food: Election Worker Training & Election Night	\$369.13
In-Office Printing & Office Supplies	\$1,494.16
Overtime & Temp Employees	\$3,517.80
Vendor Invoices	\$21,463.08
Misc Charges	\$294.21
 TOTAL	 \$37,288.91

ORDINANCE 2020-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS PROPOSED AMENDMENTS TO THE CHARTER; AMENDING SECTION 1 TO REFLECT ACCURATE HISTORY OF THE CREATION OF THE CITY OF FERNANDINA BEACH; AMENDING SECTION 9 TO CHANGE "GROUP" TO "SEAT" FOR CITY COMMISSIONERS; AMENDING SECTION 10 TO REQUIRE CITY COMMISSIONERS TO COMPLETE ANNUAL PERFORMANCE EVALUATIONS FOR CHARTER OFFICERS AND TO INCLUDE PENALTIES FOR COMMISSIONERS INTERFERING WITH ADMINISTRATIVE SERVICE; AMENDING SECTION 11 BY ADDRESSING COMMISSIONER ABSENCES AND VACANCIES, INCORPORATING STATE CODE OF ETHICS FOR COMMISSIONERS AND PROVIDING DUE PROCESS PRIOR TO FORFEITURE OF COMMISSION SEAT FOR VIOLATIONS OF RULES; AMENDING SECTION 16 BY CHANGING STRAW BALLOT VOTE FOR MAYOR TO BINDING VOTE OF THE PEOPLE FOR MAYOR, REQUIRING THAT MAYORAL CANDIDATE WITH SECOND HIGHEST VOTES BE ELECTED AS VICE MAYOR; AMENDING SECTION 17 BY MAKING MAYOR RESPONSIBLE FOR COMMISSIONERS' COMPLETION OF CHARTER OFFICER EVALUATIONS; AMENDING SECTION 21 BY INCLUDING A PROVISION TO ALLOW COMMISSIONERS TO ATTEND MEETINGS USING COMMUNICATION TECHNOLOGY DUE TO A SERIOUS MEDICAL CONDITION IN COMPLIANCE WITH STATE LAW; AMENDING SECTION 25 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY MANAGER, INCREASING THE TIME FOR NEW CITY MANAGER TO BECOME CITY RESIDENT FROM THIRTY TO NINETY DAYS AND REQUIRING DESIGNATION OF CITY MANAGER PRO TEM; AMENDING SECTION 31 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY ATTORNEY AND REQUIRING THAT THE CITY ATTORNEY PROVIDE A LIST OF QUALIFIED ATTORNEYS FOR CONSIDERATION BY THE CITY COMMISSION FOR CITY ATTORNEY PRO TEM; AMENDING SECTION 41 BY PROVIDING THAT A REFERENDUM VOTE OF THE PEOPLE IS REQUIRED BEFORE THE POLICE DEPARTMENT CAN BE DISSOLVED; AMENDING SECTION 44 BY PROVIDING THAT A REFERENDUM VOTE OF THE PEOPLE IS REQUIRED BEFORE THE FIRE DEPARTMENT CAN BE DISSOLVED; AMENDING SECTION 47 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY CLERK AND REQUIRING DESIGNATION OF CITY CLERK PRO TEM; AMENDING SECTIONS 58 AND 60 BY PROVIDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR COMPTROLLER AND REQUIRING COMPTROLLER TO PROPOSE SOUND, WRITTEN INVESTMENT POLICIES FOR APPROVAL BY COMMISSION; AMENDING SECTION 64 BY REQUIRING COMPTROLLER TO SCHEDULED ANNUAL FINANCIAL AUDIT BY INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT; AMENDING SECTIONS 74 AND 75 BY PROHIBITING TRANSFER OF FUNDS OUT OF CONSERVATION TRUST FUND TO BE USED FOR ANY OTHER PURPOSE BESIDES CONSERVATION; REPEALING SECTION 107A TO REMOVE RESTRICTIONS ON COMMUNITY REDEVELOPMENT AREAS

(CRA’S); AMENDING SECTION 121 BY PROVIDING AN OATH OF OFFICE IN COMPLIANCE WITH STATE LAW INCLUDING FLORIDA CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES; AMENDING SECTION 136 PROVIDING THAT BY MAJORITY VOTE, CITY COMMISSIONERS, CHARTER OFFICERS AND MEMBERS OF APPOINTED CITY BOARDS MAY REQUEST THAT THE CITY COMMISSION INVESTIGATE A DEPARTMENT, OFFICER OR EMPLOYEE; CREATING SECTION 141 PROVIDING FOR CITIZEN INITIATIVES TO PROPOSE OR AMEND CITY ORDINANCES AND PROVIDING FOR AN INITIATIVE PROCESS; AMENDING RESERVED SECTION 142 TO REQUIRE THE CHARTER TO BE REVIEWED EVERY EIGHT YEARS BY A CHARTER REVIEW COMMITTEE MADE UP OF CITY RESIDENTS; AMENDING SECTIONS 6-8, 12-13, 22, 29-30, 59, 62, 71, 79, 137, 143, AND 144 TO CLARIFY CERTAIN PROVISIONS WITHOUT CHANGING THEIR MEANING; REPEALING SECTIONS 10B, 14-15, 20, 32-33, 45, 61, 69, 72, 78, 120, 122 AND 125 TO BE CONSISTENT WITH STATE LAW AND/OR INCORPORATING SECTIONS INTO OTHER EXISTING SECTIONS; SCHEDULING A REFERENDUM MAIL BALLOT ELECTION ON OR BEFORE JUNE 15, 2021; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY OF FERNANDINA BEACH HEREBY ENACTS:

SECTION 1. It is hereby proposed that the amendments to the charter of the City of Fernandina Beach be adopted.

SECTION 2. It is proposed that Section 1 of the City of Fernandina Beach’s Charter be hereby amended to read as follows:

Section 1. Creation

~~The City of Fernandina and the City of Fernandina Beach were combined into one municipality called the City of Fernandina in 1921 pursuant to the Laws of Florida, Chapter 8949 (1921). The name of the municipality was changed to the City of Fernandina Beach (1951) and has operated as a municipal corporation pursuant to Charter since that time.~~

The City of Fernandina was first established in 1825, then later abolished and reincorporated in 1921 by the Florida Legislature. The Town of Fernandina Beach was established in 1949 by the Florida Legislature. The City of Fernandina and the Town of Fernandina Beach were consolidated as the City of Fernandina Beach on January 1, 1952 after referendum approval by voters.

SECTION 3. It is proposed that Section 6 of the City of Fernandina Beach’s Charter be hereby amended to read as follows:

Section 6. Boundaries.

That the following ~~shall be~~ is the territory the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipality ~~shall~~ exercises its jurisdiction and powers in accordance with state law and City ordinances, to wit:

- (a) ***Original boundaries of the City.*** Beginning at a point where the range line between Range Twenty-eight (28) East, and Range Twenty-nine (29) East intersects the southerly boundary of Egan's Creek; thence north, along the said range line, to a point on the low water mark of Cumberland Sound; thence easterly, along the said low water mark of Cumberland Sound, to a point on the low water mark of the

Atlantic Ocean; thence southerly, along the said low water mark of the Atlantic Ocean, to a point on the southerly boundary of Section Ten (10), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty-nine degrees fifty-five minutes west (S89°55'W), along the southerly boundary of said Section Ten (10), a distance of five hundred eighty-three (583.0) feet, more or less, to a point at the southwest corner of said Section Ten (10), thence north seven degrees twenty-four minutes east (N7°24'E), along the westerly line of said Section Ten (10), a distance of one thousand seven hundred twenty-eight and three-tenths (1728.3) feet to a point at the northwest corner of said Section Ten (10) and on the south line of Section Eight (8), Township Two (2) North, Range Twenty-eight (28) East, said point being south eighty-five degrees fifty-three minutes west (S85°53'W) a distance of two hundred fifty and fourteen hundredths (250.14) feet from the southeast corner of said Section Eight (8); thence south eighty-five degrees fifty-three minutes west (S85°53'W), along the south line of said Section Eight (8), a distance of one thousand seventy-nine and six-tenths (1079.6) feet to a point; thence south eight degrees eighteen minutes west (S8°18'W) a distance of three thousand one hundred sixty-nine and eighty-eight hundredths (3169.88) feet to a point on the south line of Section Eleven (11), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty degrees twenty-four minutes west (S80°24'W), along the south line of said Section Eleven (11), a distance of five thousand two hundred thirty-eight (5238.0) feet, more or less, to a point at the southwest corner of said Section Eleven (11); thence in a northerly direction, along the west line of said Section Eleven (11) and the west line of Government Lots Four (4) and Three (3) in Section Six (6), Township Two (2) North, Range Twenty-eight (28) East, a distance of ten thousand seven hundred fifty (10,750.0) feet, more or less, to a point on the north line of said Section Six (6), said point being the southwest corner of Lot Sixty-six (66) of Ocean Breeze Farms Subdivision as recorded in Plat Book Two (2) at page nineteen (19) of the public records of said Nassau County, Florida; thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of said Section Six (6), a distance of four hundred nineteen and six-tenths (419.6) feet to a point at the southwest corner of Lot Ninety-nine (99); thence north one degree thirty-seven minutes east (N1°37'E), along the west line of Lots Ninety-nine (99) and Sixty-five (65), a distance of five hundred eleven and five-tenths (511.5) feet to a point at the northwest corner of said Lot Sixty-five (65); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Lots Sixty-five (65) and Fifty-two (52), a distance of one thousand three hundred twenty (1320.0) feet to a point at the northeast corner of said Lot Fifty-two (52); thence south one degree thirty-seven minutes west (S1°37'W), along the east line of Lots Fifty-two (52) and one hundred (100), a distance of five hundred eleven and five-tenths (511.5) feet to a point on the north line of said Section Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Sections Six (6) and Seven (7), Township Two (2) North, Range Twenty-eight (28) East, a distance of three thousand ninety-nine and twenty-seven hundredths (3099.27) feet to a point in the center of the south line of Lot One hundred five (105) of Ocean Breeze Farms Subdivision as recorded in Plat Book "O" at page fifty-nine (59) of the public records of said Nassau County, Florida; thence north one degree fifty-four minutes east (N1°54'E), along the center line of Lot One hundred five (105) and Lot Six (6), a distance of three hundred forty-six and five-tenths (346.5) feet to a point in the center of said Lot Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E) a distance of three hundred three and twenty-five hundredths (303.25) feet to a point at the center of the west line of Lot Seven (7); thence north one degree thirty-seven minutes east (N1°37'E), along the west line of Lots Seven (7) and Eight (8), a distance of four hundred ninety-five (495.0) feet to a point at the northwest corner of said Lot Eight (8); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Lots Eight (8), Nineteen (19), and Twenty-one (21), a distance of one thousand seven hundred ninety (1790.0) feet to a point at the northeast corner of said Lot Twenty-one (21); thence south three degrees eighteen minutes east (S3°18'E), along the east Lot Twenty-one (21), a distance of seven hundred forty-nine and eleven hundredths (749.11) feet to a point on the north line of said Section Eight (8); thence north eighty-five degrees fifty-three minutes east (N85°53'E) along the north line of said Section Eight (8), a distance of one thousand six hundred nine and six-tenths (1609.6) feet to a point at the northeast corner of said Section Eight (8); thence northerly, in a straight line through Sections Two (2) and One (1), Township Two (2) North, Range Twenty-eight (28) East, to a point at the northwest corner of Section Six (6), Township Two (2) North, Range Twenty-nine (29) East; thence northerly, along the range line between Ranges Twenty-eight (28) and Twenty-nine (29) East, Township Three (3) North, to a point at the northeast corner of Citrona Lot Twenty-eight (28), according to the official plat of the City of Fernandina Beach (formerly named Fernandina) 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; thence north eighty-two degrees twenty-eight minutes west (N82°28'W), along the prolongation of the southerly right-of-way line of Lime Street (60'R/W), to the low water mark of Amelia River; thence northerly, along the low water mark of Amelia River, to a point at the mouth of Egan's Creek; thence easterly, along the southerly boundary of Egan's Creek to the point of beginning.

- (b) Additions to City Boundaries. Pursuant to Florida law, the City is permitted to annex additional properties in accordance with procedures established by state and local laws. The current boundary records are kept in the City Clerk's Office and are available for view upon request.

SECTION 4. It is proposed that Section 7 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 7. Powers of City Generally

- (a) The City of Fernandina Beach ~~shall have~~ has full power and authority to:
- (1) Acquire, take, hold, control and dispose of property, real, personal and mixed, both within and without its corporate limits, for the use, benefit, welfare and best interest of said the municipality, by acquisition, condemnation or otherwise;
 - (2) Issue and sell bonds upon its property both within and without its corporate limits, or the earnings thereof, or both;
 - (3) Adopt and enforce local police, sanitary and other similar regulations not in conflict with the laws of the state;
 - (4) Do whatever is necessary and proper for the safety, health, convenience and general welfare of its inhabitants; and
 - (5) Own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare.
 - (6) Exercise all other powers of local self-government; and
- (b) The enumeration of particular powers by this Charter are not ~~shall not be held or deemed to exclusive, but, in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have, and may exercise, all other powers which, under the constitution and laws of Florida, it would be competent for this section specifically to enumerate.~~ are some of the municipal home rule powers provided for by the Florida State Constitution and Laws of Florida, and there are other governmental, corporate and proprietary powers not enumerated in this Charter which may be exercised by the City to conduct municipal government, perform municipal functions and render municipal services. (as set forth in Section 166.021, Fla. Stats.)

SECTION 5. It is proposed that Section 8 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 8. Commissioner manager plan (form) of government.

The form of government of the City of Fernandina Beach provided for under this Act ~~shall be that~~ is known as the "Commission-Manager Plan," and the Commission ~~shall~~ consists of five (5) citizens, who ~~shall be~~ are elected at large in the manner hereinafter provided in this Charter. The Commission ~~shall~~ constitutes the governing body with powers ~~as hereinafter provided~~ to pass ordinances, adopt ~~regulations-resolutions~~ and appoint a chief administrative officer to be known as the "City Manager," and to exercise all other powers ~~hereinafter~~ provided in this Charter and under Florida law.

SECTION 6. It is proposed that Section 9 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 9. Created; election by ~~groups~~ seats, number; term.

The City Commission ~~shall~~ prescribes the conduct, method, dates and manner of holding elections by ordinance in substantial compliance with the principles adopted for state elections. In matters on which the conduct of municipal elections can vary from the conduct of state elections, the City Commission may, by ordinance, adopt rules specific to municipal elections. All City elections ~~shall be~~ are non-partisan.

~~(a) If an affirmative majority of the present City Commission so desires, the city shall by ordinance, motion or otherwise, elect five (5) members for said commission in the following manner:~~

~~One (1) member shall run as a candidate from and be elected by the qualified electors of group one (1), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group one (1) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group two (2), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group two (2) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group three (3), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group three (3) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group four (4), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group four (4) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group five (5), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group five (5) of said city.~~

(a) There is hereby created a City Commission to consist of five (5) electors seats of the City of Fernandina Beach, and elected at large by the qualified voters of the City of Fernandina Beach. The designation of seats is not used or construed to divide the City into Commission districts for purposes of qualification, election, or representation.

(b) Members ~~shall~~ serve for a term of four (4) years or until their successors have been elected and take office. Elections for the groups referred to in paragraph (a) shall be held as follows: Seats 1, 2, and 3 were elected in 2020. Seats 4 and 5 were elected in 2018.

~~Group 1 shall be elected in 2016.~~

~~Groups 2 and 3 shall be elected in 2017 and 2020.~~

~~Groups 4 and 5 shall be elected in 2015 and 2018.~~

Thereafter, all ~~groups~~ seats ~~shall be~~ are elected every four (4) years for a term of four (4) years.

(c) If there are several candidates in each seeking the same seat group, then the candidate receiving a majority vote ~~shall be held~~ is elected for that seat, group. provided, however, that in the event ~~the~~ no candidate ~~shall not~~ receives a majority vote, then and in that event the two (2) candidates receiving the largest or highest number of votes ~~shall~~ must have their names placed on an election ballot (unless one (1) of the two (2) candidates to be elected ~~shall~~ withdraws from the race, then and in that event no run off

or second election ~~shall~~ will be called, and the remaining candidate ~~shall be declared~~ is elected) in a run off or second election, ~~and~~ In said ~~a~~ runoff or second election, the candidate receiving the largest or highest number of votes ~~shall be held~~ is elected for that seat group; provided always, however, that this shall not apply to any candidate or candidates that receive a majority vote in the first or general election. ~~Provided, however, that~~ No group or groups of candidates ~~shall can~~ qualify in for more than one (1) group seat in any general election or run off or second election in any one election year. ~~If there are no more than two (2) qualified candidates seeking the same seat, then the election for that seat will be held at the general election in conjunction with county, state, and federal elections. If there are more than two (2) qualified candidates seeking the same seat, then an initial election for that seat will be held at the primary election in conjunction with county, state and federal elections (the "Initial Election"). The two (2) candidates at the Initial Election who receive the highest number of votes for a seat will advance with the election for that seat to be held at the general election in conjunction with county, state, and federal elections. For each seat, the candidate receiving the majority vote in the general election is elected for that seat. No candidates can qualify for more than one (1) seat in any initial election or general election in any election year.~~

- (d) City elections ~~shall be~~ are ~~nonpartisan and shall be held every two (2) years in even numbered years and in conjunction with county, state and federal elections. The City Commission shall have~~ has the authority to call for special elections at any time ~~not on the same dates~~ other than as the City general elections. ~~for special elections, ballot questions and referenda.~~

SECTION 7. It is proposed that Section 10 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 10. Powers generally; dealing with administrative service through Charter Officers required; penalties for violations ~~deemed misdemeanor, penalty~~

(a) The Mayor and Commissioners ~~shall~~ must not, in any manner, dictate the appointment or removal of any city officers or employees whom the Charter Officer or any of ~~his/her~~ said Officer's subordinates are empowered to appoint, evaluate and supervise. City Commissioners must each complete an annual performance evaluation for each Charter Officer.

~~(b) All powers of the City, except as otherwise provided by this Charter or by the constitution of this state, are hereby vested in the City Commission. Except as otherwise provided by this Charter or by the constitution of this state, the City Commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised.~~

~~(e)-(b)~~ The Mayor and Commissioners ~~shall~~ deal with administrative service through the respective Charter Officer. The Mayor and Commissioners ~~shall~~ must not directly interfere with or direct the conduct of any employee in the discharge of prescribed duties. However, with the express permission of the respective Charter Officer, the Mayor and Commissioners may communicate directly with an employee.

~~(d)-(c)~~ Any violation of the provisions of this section by any member of the City Commission ~~shall~~ is, upon first offense, be grounds for ~~sanction~~ recognition and discussion by the Commission of the violation, any second ~~or subsequent offense or violation~~ within a Commissioner's term is grounds for sanction by the City Commission, and a third offense within the same Commissioner's term is grounds for forfeiture of Commission seat by the offending Commissioner. Prior to forfeiture of a Commission seat, any Commissioner accused of violating this Section is entitled to a public hearing conducted in accordance with the City's rules of procedure for quasi-judicial hearings as adopted by ordinance. ~~shall constitutes a misdemeanor and, upon conviction thereof before any court of competent jurisdiction, the violator shall be fined in an amount not exceeding two hundred dollars (\$200.00), or be imprisoned for a period not exceeding six (6) months, or both, at the discretion of the court, and shall be subject to removal from office.~~

~~(e)-(d)~~ Investigations or inquiries ~~shall be~~ are conducted pursuant to Section 136 of this Charter.

SECTION 5. It is proposed that Section 10A of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Sec. 10A—Referendum required for sale of city-owned recreational facilities and no sale of conservation land.

~~(a) A referendum election is required prior to the sale or lease for a period of more than 40 years of "recreational facilities" such as golf courses, swimming pools, and parks.~~

~~(b) For a referendum election under this Section 10A, the City Commission must first adopt an ordinance by unanimous vote of the Commission to put a sale or lease of recreational facilities on a ballot for the voters, and the referendum must then pass by 70% of the voters in that referendum election.~~

~~(c) "Conservation lands", including City-owned lands protected by conservation easements, must not be leased or sold by the City and are held by the City for the benefit of the public in perpetuity.~~

~~(d) "Recreational facilities" and "conservation lands" are each defined in the City's Comprehensive Plan and generally mean lands or places with a Recreation or Conservation designation, respectively, on the City's Future Land Use Map of the City's Comprehensive Plan. Conservation lands may also include lands owned or leased by the City and protected by conservation easements.~~

~~(1) A referendum election shall be required prior to the sale, lease for a period of more than 40 years, or other transfer of City-owned swimming pools, golf course or courses, any and all recreational facilities, or lands which are designated for recreational use in the City's comprehensive plan or any portion thereof, and all buildings, improvements and appurtenances pertaining thereto, whether presently built or hereafter built. The City Commission shall pass an ordinance by a majority vote to place the matter on the ballot for the voters to decide. The decision of the voters shall be binding. If approved by the voters, the City Commission shall have has the authority to issue a deed for the property, or to issue such other documents as may be necessary to complete the transaction.~~

~~(2) "Recreational facilities" as used in this section is hereby defined as any real property, including improvements thereon, owned by the City of Fernandina Beach and used or intended for use by the general public primarily for parks, playgrounds, amusements, resorts, pleasure, nature preserves; botanic, zoological or marine conservatories; sporting events, pleasure boating, swimming, fishing or any other recreational activity. Such recreational facilities shall be designated by a resolution of the City Commission and which resolution shall be is updated from time to time.~~

~~(3) A referendum election is required prior to leasing for a period of more than 40 years or sale, or other transfer of City-owned conservation land which includes land burdened by a conservation easement and/or land that is in a conservation zoning district or has a future land use map designation of conservation. The City Commission must pass an ordinance by super majority vote to place the matter on the ballot for voters to decide. The decision of the voters is binding on the City Commission. If approved by the voters, the City Commission has the authority to issue a deed for the property, or to issue such other documents as may be necessary to complete the transaction.~~

~~(4) "Conservation Lands" as used in this section is hereby defined as areas owned by the City of Fernandina Beach and designated Conservation in the City's Future Land Use Map series.~~

SECTION 8. It is proposed that Section 11 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 11. Qualifications of members; holding of more than one office not permitted; interest in profits of City contracts, etc., prohibited; filling vacancies.

(a) The Commission is the judge of the election and qualification of its own members, subject to review by the courts. Members of the City Commission ~~shall must~~ be residents of the City and have the qualifications of electors. therein. Officers and employees of the City may not hold more than one office in the City government of the City of Fernandina Beach, and ~~shall must~~ not be interested in the profits or emoluments of any contract work or service for the municipality, and any such contract in which any member is, or may become, interested ~~shall must~~ be declared void by the City Commission. City Commissioners are “public officers” under Ch. 112, Florida Statutes (Code of Ethics for Public Officers and Employees) and must abide by all of the ethical standards set forth in these statutes.

(b) Any member of the City Commission ceasing to possess the foregoing qualifications, including violations of Ch. 112, Florida Statutes (state Code of Ethics), or who has been convicted of a felony is automatically suspended from office until the City Commission conducts a public hearing and issues a ruling regarding forfeiture of the Commissioner’s seat. The public hearing must be conducted within ten (10) calendar days of a verified, written complaint or request for hearing submitted to the City Attorney. In addition, any member of the City Commission who misses three (3) regular meetings in a calendar year is automatically suspended from office until the City Commission conducts a hearing as set forth herein and issues a ruling regarding forfeiture of the Commissioner’s seat. A hearing conducted pursuant to this Section must be conducted in accordance with the City’s rules of procedure for quasi-judicial hearings, as adopted by resolution or ordinance.

(c) Any vacancy in the City Commission must be filled until the next regular municipal election by vote of the remaining members of the City Commission; provided, that if such vacancy is not filled within thirty (30) days after it has occurred, appointment to fill the existing vacancy will be made by the Governor. Vacancies resulting from a recall election will be filled as required by state law.

SECTION 9. It is proposed that Section 12 of the City of Fernandina Beach’s Charter be hereby amended to read as follows:

Section 12. Salary of members.

The Mayor and City Commissioners ~~shall~~ receive a salary ~~in the amount~~ as established by appropriate City ordinance.

SECTION 10. It is proposed that Section 13 of the City of Fernandina Beach’s Charter be hereby amended to read as follows:

Section 13. Limitation on successive terms in office.

The City Commissioners ~~shall be~~ are limited to two (2) successive terms in office. No person ~~shall be~~ is qualified for election or appointment to a vacancy upon the City Commission of the City of Fernandina Beach, Florida, unless at least three (3) years have elapsed since such person last held such office, if at that time such person completed two (2) successive and full terms.

SECTION 11. It is proposed that Section 14 of the City of Fernandina Beach’s Charter be hereby repealed as follows:

~~————— Sec. 14. Judge of election and qualifications of members. Reserved.~~

~~The commission shall be the judge of the election and qualification of its own members, subject to review by the courts. Any member of the Commission who shall be convicted of [a] crime while in office shall thereby forfeit his office.~~

SECTION 12. It is proposed that Section 15 of the City of Fernandina Beach's Charter be hereby repealed as follows:

~~Sec. 15. Vacancies, how filled. Reserved.~~

~~Any vacancy in the City Commission shall be filled until the next regular municipal election by vote of the remaining members of the Commission; provided, that if such vacancy is not filled within thirty (30) days after it shall have occurred, appointment to fill the existing vacancy shall be made by the Governor. Vacancies resulting from a recall election shall be filled as required by state law~~

SECTION 13. It is proposed that Section 16 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 16. – Mayor and Vice Mayor—When selected; procedure; term

~~(a) In case the members of the Commission are unable to agree on the selection of Mayor, at the time fixed in the Code of Ordinances for the Commission's annual organization meeting, then the Mayor shall be chosen by lot, conducted by the City attorney, who shall certify the result of such lot upon the journal of the Commission.~~

(a) The Mayor of the City will be elected by the voters by placement on the ballot as authorized in subsection (b) below and by receiving the highest number of votes for Mayor with such election to be held in conjunction with the regular general election held for the purpose of electing City Commissioners.

(b) Candidates for the mayoral election must consist of incumbent Commissioners who are not subject to reelection to the City Commission at that same election. Any eligible candidate wishing to be considered for the position of Mayor must request in writing, no later than the City Commission's deadline for qualifying for running for City Commission in the City general election, to be placed on the ballot.

(c) The mayoral candidate on the ballot with the second highest number of votes in the mayoral election must be appointed to the Vice-Mayor position.

(d) On the occasion that only one incumbent City Commissioner should choose to be on the mayoral ballot, there is no need for the mayoral election, and the one mayoral candidate must be appointed to the position of Mayor at the City Commission's annual organizational meeting. The City Commission may choose any City Commissioner not appointed as the Mayor to be the Vice-Mayor, including newly-elected Commissioners. If no incumbent City Commissioner chooses to be on the mayoral ballot, the City Commission must vote to appoint one of the Commissioners to serve as Mayor and one Commissioner to serve as Vice-Mayor, and newly-elected Commissioners may be considered.

~~(b) (e) The Mayor and Vice Mayor shall each serve a term of two (2) years to coincide with the municipal general election, beginning in 2018, unless sooner removed from office by the City Commission as provided below in subsection (e).~~

~~(e) The City Commission may, by majority vote and for any reason including but not limited to Florida Sunshine Law violations, remove the Mayor from office and appoint another incumbent Commissioner to serve as Mayor for the remainder of the two (2) year term. The person removed from the office of Mayor shall continue to serve as Commissioner until the end of their current term as Commissioner unless otherwise prohibited from serving as Commissioner by state law.~~

~~(f) On the occasion that all eligible candidates but one should withdraw from the straw ballot, election, there shall be no straw ballot election and the one remaining candidate shall be considered the primary candidate for the position of Mayor at the organizational meeting.~~

~~(g) (f) The appointee shall serve as existing Mayor and Vice Mayor will serve until the organizational meeting following the next regular general election held by the City.~~

SECTION 14. It is proposed that Section 17 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Sec. 17. - ~~Same~~—Functions and powers of the Mayor.

The powers and duties of the Mayor ~~shall be as are~~ set forth in this Charter. ~~and below: and such other duties as may be conferred upon the Mayor by official action of the City Commission.~~

- (a) The Mayor ~~shall have~~ has a voice and a vote in the proceedings of the Commission but no veto power;
- (b) The Mayor ~~shall~~ does not exercise any administrative power, unless specifically set forth in this Charter;
- (c) The Mayor ~~shall~~ presides at all meetings of the Commission and performs such other duties consistent with the office, including but not limited to ensuring that every Commissioner completes an annual performance evaluation for each Charter Officer. ~~and The Mayor may use the title of Mayor in the execution of legal instruments or when required by the general or special laws of the state; and~~
- (d) The Mayor ~~shall be recognized as is~~ the official head of the City ~~by the courts~~ for the purpose of serving civil processes and for all ceremonial purposes.

SECTION 15. It is proposed that Section 20 of the City of Fernandina Beach's Charter be hereby repealed as follows:

~~Sec. 20. Same Vacating seat of member for unexcused absence of specified duration. Reserved.~~

~~Absence from four consecutive regular meetings of the Commission, shall operate to vacate the seat of a member unless such absence is excused by the commission by resolution setting forth the fact of such excuse duly entered upon the journal.~~

SECTION 16. It is proposed that Section 21 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 21. Adoption and enactment of municipal ordinances and resolutions; quorum for City Commission.

- ~~(1)~~-(a) The adoption of ordinances and resolutions must be in compliance with Section 166.041, Florida Statutes, or such other section in Florida Statutes pertaining to the adoption of municipal ordinances or resolutions, as the same may be amended from time to time.
- ~~(2)~~-(b) A majority of the members of the City Commission ~~shall~~ constitutes a quorum. Except as otherwise required by this Charter, an affirmative vote of at least three City Commissioners shall be is necessary to enact any ordinance or resolution. except that two-thirds A supermajority of the City Commission is required to enact an emergency ordinance. An affirmative vote of a majority of a quorum present is necessary to adopt any resolution. In case of a serious medical condition, as provided by Florida law, a Commissioner may be permitted to vote in real time by communication media technology instead of being physically present. On final passage, the vote of each member of the City Commission voting shall must be entered on the official record of the meeting. All ordinances or resolutions passed by the City Commission shall become effective ten (10) days after passage or as otherwise provided therein.
- ~~(3)~~-(c) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and ~~shall must~~ be signed by the presiding officer and the City Clerk. ~~of the city commission~~

SECTION 17. It is proposed that Section 25 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 25. – City Manager appointment; tenure of office; qualifications; ~~manager pro tem.~~

The City Commission ~~shall~~ must appoint a City Manager who ~~shall be~~ is the administrative head of the municipal government under the direction and supervision of the City Commission and ~~shall hold~~ holds office at the pleasure of the City Commission. The City Manager ~~shall~~ must be chosen solely on the basis of executive and administrative qualifications without regard to political belief, and need not be a resident of the City or state at the time of appointment; however, not later than ~~30~~ 90 days after executing the Oath of Office, the City Manager ~~shall~~ must become a resident of the City. The City Manager must have prior management experience, managing at least one government organization with at least 250 employees and several departments, be a member in good standing of a professional organization such as the International City/County Management Association, and the Commission must consider more than one (1) qualified candidate for City Manager. The City Manager must be a member in good standing of a professional organization such as the International City/County Management Association prior to appointment or within six (6) months after appointment. The City Commission ~~may~~ will establish an appropriate contract for the City Manager, which ~~shall~~ contains the employment conditions, compensation, benefits and such other terms as may be appropriate. The City Manager may also be deemed to be a regular employee of the City, and the employment conditions, compensation, benefits and other terms may be set by the City Commission through ordinance, resolution or policy. ~~During the absence or disability of the City Manager, the City Commission shall designate some properly qualified person to temporarily execute the function of the City Manager.~~

SECTION 18. It is proposed that Section 29 of the City of Fernandina Beach's Charter be hereby amended to read as follows:

Section 29. Powers and duties enumerated.

The City Manager ~~shall be~~ is responsible to the City Commission for the proper administration of all affairs of the City, and to that end ~~his~~ has the following powers and duties ~~are and they shall be~~:

- (a) To see that the laws and ordinances are enforced;
- (b) Except as hereinafter specifically provided, to appoint and remove all subordinate officers and employees of the City; all appointments to be made upon merit and fitness alone;
- (c) To exercise control and direct supervision over ~~all departments and divisions of the municipal government under this Charter, or which may hereafter be created by the City Commission, including setting the compensation for officers and employees; including public utilities owned by said city.~~
- (d) To see that all terms and conditions imposed in favor of the City or its inhabitants in any ~~public utility franchise contract~~ are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the City Attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same;
- (e) To attend all meetings of the City Commission, and of its committees, with right to take part in the discussions, but without having a vote;
- (f) To recommend to the Commission for adoption such measures as ~~he may~~ be deemed necessary or expedient in the interests of the City;
- (g) To keep the City Commission fully advised as to the financial condition and needs of the City and to submit for its consideration an annual budget and five-year capital improvement plan;
- ~~(h) To perform such other duties as may be prescribed under this Charter or as may be required of him by ordinance or resolution of the City Commission.~~
- ~~(i) (h) He shall be purchasing agent for the City, by whom all purchases of supplies shall be made and he shall approve all vouchers for the payment of same. In the capacity of purchasing agent he shall also the conduct all~~

~~sales of personal property which the Commission may authorize to be sold as having become unnecessary or unfit for the City's use. All purchases and sales shall must conform to such regulations as the City Commission may from time to time prescribe. To be responsible for the procurement, sale of surplus, management, payment, and contract compliance for all supplies, services, and construction contracts, including any Federal, State, or other grant funded activity, at the direction of the City Commission and in accordance with all applicable City, State, or Federal laws and regulations ; and~~

~~(j) (i) To designate a City Manager pro tem to be approved by the City Commission to serve in case of absence or disability of the City Manager.~~

SECTION 19. It is proposed that the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended by creating a section formerly reserved as Section 30, which section reads as follows:

Section 30. ~~Reserved.~~ Salaries and compensation.

The City Manager fixes the number and compensation of all other officers and employees. The salaries or compensation must be uniform for like services in each grade of the City service, as the same will be graded or classified by the City Manager, and approved by the City Commission. All salaries and rates of pay, with dates of employment and discharge, must be immediately reported to the City Clerk. All fees and money received or collected by officers and employees must be immediately paid over to the City Comptroller on the date of their receipt.

SECTION 20. It is proposed that Section 31 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 31. City Attorney appointment and qualifications; tenure of office; powers and duties enumerated; attorney pro tem

~~a) Appointment; tenure of office; qualifications; and attorney pro tem.~~ The City Commission ~~shall~~ must appoint a City Attorney, who ~~shall~~ acts as the legal advisor to and attorney and counselor for the municipality and all of its officers in matters relating to their official duties. The City Attorney ~~shall~~ serves under the direction and supervision of the City Commission and ~~shall~~ holds office at the pleasure of the City Commission. The City Attorney ~~shall~~ must be chosen on the basis of legal and administrative qualifications. The City Attorney must be a lawyer admitted to and having authority to practice in all courts of the state, including circuit and district appellate courts of Florida. The City Attorney must also be admitted to practice in the federal Middle District of Florida court and the 11th Circuit Appeals court or be admitted within six months of taking the Oath of Office. It is preferred that the City Attorney be board certified in City, County and Local Government Law by the Florida Bar Association.

(b) The City Commission ~~shall~~ must establish an appropriate contract for the City Attorney, which ~~shall~~ contains the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Attorney, the City Commission ~~shall~~ must designate a properly qualified person to temporarily execute the functions of the office.

~~b) (c) Powers and duties enumerated.~~ The City Attorney ~~shall be~~ is responsible to the City Commission for the proper administration of all affairs of the City assigned to the office of the City Attorney and to that end, the City Attorney's duties and powers ~~shall be~~ are the following:

1) Prepare all contracts, bonds and other instruments in writing in which the municipality is concerned, and ~~shall~~ endorses on each the City Attorney's approval;

2) ~~The City Attorney shall be~~ is authorized ~~To Take~~ such action required to avoid default judgment against the City in any litigation and ~~shall~~ must obtain authorization by resolution to prosecute and defend all causes of

action, lawsuits and claims in which the City is a party. The City Attorney ~~shall~~ must review with the City Commission at the next regular meeting when any action to avoid default has been taken by the City Attorney;

3) ~~The City Attorney shall~~ Provide opinions of law relating to the activities of the City, the City Commission, the City Manager and City Clerk, upon request; and the direct employees of the City Attorney in the office of the City Attorney ~~shall~~ report to the City Attorney. The City Attorney ~~shall have~~ has the authority to hire, direct, promote and terminate the employees in the City Attorney's Office, notwithstanding Section 29(b) herein; and

4) For the purpose of serving during the absence or disability of the City Attorney, the City Attorney must propose a list of qualified attorneys for approval by the City Commission from which the City Commission may choose a City Attorney pro tem.

SECTION 21. It is proposed that Section 32 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 32. ~~Additional Duties.~~ Reserved.

~~In addition to the duties specifically imposed under the preceding section, he [the City attorney] shall perform such other professional duties as may be required of him by ordinance or resolution of the City Commission or as are prescribed for City attorneys under the general law of the state which are not inconsistent with this Charter and with any ordinance or resolution which may be passed by the City Commission.~~

SECTION 22. It is proposed that Section 32 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 33. ~~Qualifications.~~ Reserved.

~~The City Attorney shall be a lawyer admitted to and having authority to practice in all courts of the state.~~

SECTION 23. It is proposed that Section 41 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 41. ~~Police force~~ department—~~composition; authority of chief.~~

The police ~~force~~ department of the City of Fernandina [Beach] ~~shall~~ consists of a chief of police and as many subordinate officers, ~~policemen/policewomen~~ and employees as the City Commission ~~shall by resolution~~ determines by ordinance. The chief of police ~~shall have~~ has exclusive control of the stationing and transfer of all ~~patrolmen and other~~ officers and employees constituting the police ~~force~~ department, subject to the approval of the City Manager and under such rules and regulations as the City Commission may prescribe or as may be prescribed by the ordinances of the City. In case of riot, conflagration or like emergency, the City Manager may appoint additional police personnel for temporary service. A referendum election is required prior to the City dissolving the police department of the City or contracting out law enforcement services to another agency.

SECTION 24. It is proposed that Section 44 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 44. ~~Fire force~~ department; ~~composition; authority of chief.~~

The fire ~~force~~ department of the City ~~shall~~ consists of a chief, ~~who shall be fire warden,~~ and as many subordinate officers, firefighter/rescue personnel and employees as the City Commission, ~~shall,~~ by ordinance, determines. The fire chief ~~shall have~~ has exclusive control of the stationing and transfer of all firefighter/rescue personnel and other officers and employees of the fire ~~force~~ department subject to such rules and regulations as may be prescribed by the City Manager or by ordinance of the City; ~~he shall have~~ the fire chief has exclusive management and control of such officers and employees as may be employed in the administration of the affairs

of ~~his~~ the force. In case of riot, conflagration or like emergency, the City Manager may appoint additional firefighter/rescue personnel for temporary service. A referendum election is required prior to the City dissolving the fire department of the City or contracting out fire/rescue services to another agency.

SECTION 25. It is proposed that Section 45 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 45. ~~Public utilities.~~ Reserved.

~~The City of Fernandina Beach shall have the power to own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare. The City shall have the power to do all things necessary for the operation of the utilities, and the protection of the public health and safety and welfare.~~

SECTION 26. It is proposed that Section 46 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 46. ~~Appointment; tenure of office; qualifications; and clerk pro tem.~~ Reserved.

~~The City Commission shall appoint a City Clerk, who shall serve under the direction and supervision of the City Commission and shall hold office at the pleasure of the City Commission. The City Clerk shall be chosen on the basis of administrative qualifications. The City Commission shall establish an appropriate contract for the City Clerk, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Clerk, the City Commission shall designate a properly qualified person to temporarily execute the functions of the office.~~

SECTION 27. It is proposed that Section 47 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 47. City Clerk appointment and qualifications; powers and duties enumerated; and City Clerk pro tem.

(a) The City Commission must appoint a City Clerk, who serves under the direction and supervision of the City Commission and holds office at the pleasure of the City Commission. The City Clerk must be chosen on the basis of administrative qualifications. The City Clerk must be a member in good standing of a professional organization such as the Florida Association of City Clerks. The City Commission must establish an appropriate contract for the City Clerk, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate.

(b) The City Clerk shall be is responsible to the City Commission for proper administration of all affairs of the City assigned to the office of the City Clerk and to that end, the City Clerk's duties and powers shall be are the following:

a) 1. Attend all meetings of the City Commission and keep a journal of its proceedings, the correctness of which proceedings as entered in such journal shall must be certified to after each meeting by the signature of the City Clerk and by the signature of the presiding officer of the City Commission. Additionally, a journal shall must be maintained of the proceedings of all boards and committees required by the City Commission;

b) 2. The City Clerk shall be Is the custodian of the seal of the City;

-e) 3. Conduct municipal elections exercising authority not reserved to county constitutional officers; however, all such authority and responsibility to conduct municipal elections, either special or general municipal elections, may be contracted out to the Nassau County Supervisor of Elections, as determined by the City Commission from time to time;

d) 4. Countersign all checks and review outgoing checks to determine compliance with the City's established Purchasing Policy and Procedures;

e) 5. Serve as legal custodian of all City records including but not limited to, all contracts, deeds, abstracts, title insurance policies and other official documents. ~~and perform such other duties as may be required by ordinance or resolution of the City Commission, as well as such as may be required by City Clerks by the general law of the state, applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution passed by the City Commission;~~

f) 6. Authenticate all ordinances, resolutions and transcripts of legislative functions;

g) 7. Publish all public notices required by the City Commission or by law;

h) 8. Prepare all awards, proclamations, certificates and other formal Documentation by the City Commission;

i) 9. Notify the City Commission of all vacancies on boards or committees established by the City Commission;

j) 10. File all liens, satisfactions and releases as authorized by the Mayor or City Manager;

k) 11. Serve as notary public on behalf of the City and attest all City documents as required;

l) 12. The direct employees of the City Clerk in the office of the City Clerk ~~shall~~ report to the City Clerk. The City Clerk ~~shall have~~ has the authority to hire, direct, promote and terminate the employees in the City Clerk's office, notwithstanding Section 29(b) herein; ~~and~~

m) 13. ~~Any other duties as required by the City Commission.~~ Maintain City records of annexations and the official City boundaries, as they may be amended from time to time; and

~~(n)~~ 14. For the purpose of serving during the absence or disability of the City Clerk, a City Clerk pro tem must be proposed for approval by the City Commission.

SECTION 28. It is proposed that Section 58 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 58. Department of Finance established.

There ~~shall be~~ is established a department of Finance, which ~~shall be~~ is headed by a City Comptroller, ~~who shall be~~ under the supervision of the City Manager. The City Comptroller must be a Certified Public Accountant (CPA) or have the same training and qualifications as a CPA. The Comptroller must be a member in good standing of the Florida Government Finance Officers Association within six (6) months of starting employment with the City. The City Comptroller shall be is the custodian of all ~~monies~~ funds of the City and ~~shall~~ keeps, preserves, reconciles, records, invests and deposits all funds of whatever kind in a legally authorized manner in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the State of Florida and any established policies and procedures of the City.

SECTION 29. It is proposed that Section 59 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 59. ~~Bond.~~ Liability insurance.

The City Comptroller ~~shall give a bond in the amount established by ordinance of the city commission from time to time~~ must have insurance for professional liability to protect the City.

SECTION 30. It is proposed that Section 60 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 60. Collection of interest on investments or deposits.

All moneys due as interest upon investments or deposits ~~shall be~~ is collected by the City Comptroller and placed to the credit of the City, and any and all bonds and securities taken for investments and deposits ~~shall be~~ are held by the City Comptroller for safe keeping for the benefit of the City. The Comptroller must propose sound, written investment policies which are approved by the City Commission.

SECTION 31. It is proposed that Section 61 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 61. ~~Collection of taxes, license fees and all moneys belonging to city.~~ Reserved.

~~The City Comptroller shall assure that all monies belonging to the City are properly recorded, reconciled and accounted for, including but not limited to taxes, licenses, revenue sharing, grants, special assessments, fines and income from all other sources in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the laws of the State of Florida.~~

SECTION 32. It is proposed that Section 62 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 62. Payment of moneys; procedure.

The City Comptroller ~~shall~~ issues checks to be paid from City funds only in accordance with established procedures, which procedures ~~shall~~ must be reviewed and approved by the City Manager and City Commission. The checks of the City may carry electronic signatures. In a declared emergency, the persons authorized to sign on behalf of the City ~~shall~~ must be established by resolution.

SECTION 33. It is proposed that Section 64 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 64. Financial report; submission to Commission monthly.

At a regular City Commission meeting, the City Comptroller ~~shall~~ will submit monthly to the City Commission through the City Manager, a detailed report of the financial status of the City funds. The City Comptroller, or designee, ~~shall~~ will also attend the meeting to provide the necessary interpretation of the submitted financial data or to respond to the financial questions generated by the Commission. In addition, the City Comptroller must schedule an annual financial audit of accounts and records by an independent certified public accountant in accordance with state law.

SECTION 34. It is proposed that Section 69 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 69. ~~How constituted.~~ Reserved.

~~The city commission may at any time appoint a fact finding or advisory board or boards, composed of men and women who are residents of the City of Fernandina Beach qualified to act in an advisory capacity to the city commission or the city manager, with respect to the conduct and management of any property or institutions or the exercises of any public functions of the city. The members of any such board shall serve without compensation for the time fixed in their appointment or at the pleasure of the commission, and their duties shall be to consult and advise with such municipal officers and make written recommendations, which shall become part of the records of the city.~~

SECTION 35. It is proposed that Section 71 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 71. Annual estimate of expenditures and revenues for forthcoming year; submission to City Commission by City Manager.

- (a) ~~In accordance with Section 29(g),~~ the City Manager ~~shall~~ sets forth an estimate of the expenditures and revenues of the City for the upcoming fiscal year. The estimate of expenditures and revenues ~~must shall~~ be submitted in compliance with the procedures set forth in the laws of Florida.
- (b) The estimates, ~~and budget and 5-year capital improvement plan so given and~~ constituting the recommendation of the City Manager as to the amounts necessary to be appropriated for the ensuing fiscal year ~~shall~~ must be supported with information giving the reasons therefore in such detail as may be necessary to afford the City Commission a comprehensive understanding of the needs and requirements of the various departments and divisions of the City government for the ensuing fiscal year.

SECTION 36. It is proposed that Section 72 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 72. ~~Annual budget and appropriation.~~ Reserved.

~~The city commission shall abide by the laws of the State of Florida in the preparation, submission and publication of its annual budget and appropriation by ordinance or resolution.~~

SECTION 37. It is proposed that Section 74 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 74. Transfer of funds.

Upon request of the City Manager, the City Commission may authorize a budget amendment or budget transfer by resolution. The City Manager ~~shall be~~ is authorized to transfer funds within the same department or division ~~thereof~~ in such maximum amounts as established by ordinance or resolution from time to time; provided, however, this authorization does not extend to any funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund.

SECTION 38. It is proposed that Section 75 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 75. Limitation on appropriations.

At the close of each fiscal year the unencumbered balance of each appropriation ~~shall revert~~ to the respective fund from which it was appropriated and ~~shall be~~ is subject to future appropriation. Any accruing revenue of the City, not appropriated ~~and hereinbefore provided,~~ and any balance at any time remaining after the purpose of the appropriation ~~shall have~~ has been satisfied or abandoned may from time to time be appropriated by the City Commission to such use as will not conflict with any uses for which specifically such revenues accrued. No money ~~shall may~~ be drawn from the treasury of the City, nor ~~shall~~ any obligation for the expenditure of the money be incurred, except pursuant to the appropriation made by the City Commission. No funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund may be appropriated for or applied to any expenditure for any purpose other than those set forth in the Fernandina Beach Land Conservation Program.

SECTION 39. It is proposed that Section 78 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 78. ~~Ad valorem taxes.~~ Reserved.

~~(1) Pursuant to Article VII, Sec. 9 of the State Constitution and the laws of the State of Florida, this municipality is hereby authorized, to levy ad valorem taxes on real and tangible personal property within the municipality.~~

~~(2) The assessment and collection of municipal ad valorem taxes shall be performed by appropriate officers and in such manner as is prescribed by general law.~~

~~(3) Pursuant to and in compliance with the laws of the State of Florida, the municipality may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.~~

SECTION 40. It is proposed that Section 79 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 79. Regulatory Fees.

(a) Pursuant to the laws of the State of Florida, this municipality the City may levy reasonable business, professional, and occupational regulatory fees commensurate with the cost of the regulatory activity, including consumer protection, on such classes of businesses, professions, and occupations, the regulation of which has not been preempted by the state or a county pursuant to a county charter.

(b) Pursuant to and in compliance with the laws of the State of Florida, the City may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.

SECTION 41. It is proposed that Section 81 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 81. Comptroller Certification of funds for contracts, obligations, etc.

~~No contract, agreement, or other obligation involving the expenditure of money shall may be entered into, nor shall any ordinance, resolution or order for the expenditure of money be passed by the City Commission or be authorized by any officer of the City, unless the Comptroller first certifies to the City Commission or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation or expenditure is in the treasury to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose. The sum so certified shall hereafter will be considered appropriated until the City is discharged from the contract, agreement or obligation.~~

The Comptroller must certify to the City and the City Commission that money to be expended for an obligation, such as a contract, is contained in the City account from which it is to be drawn and not appropriated for any other purpose prior to any action being taken by the City Commission or any City employee that commits the City to incur the obligation.

SECTION 42. It is proposed that Section 107A of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 107A. ~~Community redevelopment areas.~~ Reserved.

The City of Fernandina Beach is prohibited from creating any more than two non-contiguous, community redevelopment areas (CRA), pursuant to F.S. ch. 163, part III. The City of Fernandina Beach is prohibited from creating any such CRA wherein the assessed value for ad valorem tax purposes of the real property contained within such CRA would exceed two percent (2%) of the total assessed value of all real property in the city at the time of creation of such CRA.

SECTION 43. It is proposed that Section 120 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 120. Salaries and compensation. Reserved.

~~The city commission shall fix, by ordinance, the salary or compensation of the city attorney, the department heads, the city manager, and the city commission. The city manager shall fix the number and compensation of all other officers and employees. The salaries or compensation so fixed shall be uniform for like services in each grade of the city service, as the same shall be graded or classified by the city manager, and approved by the city commission. All such salaries and rates of pay, with dates of employment and discharge, shall be immediately reported to the city clerk. All fees and moneys received or collected by officers and employees shall be immediately paid over to the city comptroller on the date of their receipt.~~

SECTION 44. It is proposed that Section 121 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 121. Oath of office.

Every officer and employee of the City ~~shall must~~, before entering upon the duties of ~~his office~~ employment or office, take and subscribe to an oath or affirmation to be filed and kept in the office of the City Clerk, which ~~oath must be in compliance with state law and at a minimum be in the following form:~~

"I, , a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of Fernandina Beach and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitutions of the United States and of the State of Florida, and I will in all respects observe and implement the laws of the State of Florida and the laws and policies of the City of Fernandina Beach, including without limitation, the City's Comprehensive Plan and the standards of conduct prescribed by the Florida Code of Ethics for Public Officers and Employees. I further promise to fairly and honestly use my position to support the best interests of the citizens of Fernandina Beach."

SECTION 45. It is proposed that Section 122 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 122. Official bonds Reserved.

~~The city commission or city manager, in fixing the salary of any officer, clerk or employee shall determine whether or not such officer, clerk or employee shall give bond, and the amount thereof, which bond shall be procured from a regularly accredited surety company authorized to do business under the laws of Florida, the premiums on such bonds to be paid by the city. All such bonds shall be filed in the office of the city clerk.~~

SECTION 46. It is proposed that Section 125 of the City of Fernandina Beach's Charter be hereby repealed as follows:

Section 125. Election arrangements; declaration of election results; appointment of inspectors. Reserved.

~~The city commission shall make all necessary arrangements for holding all municipal elections, and shall declare the result thereof. Inspectors, poll workers and clerks of election shall be appointed by the city commission except that if the commission shall fail to appoint them at least seven (7) days before the date of any election, the mayor may appoint them. In case of emergency, the mayor has the authority to appoint inspectors, poll workers and clerks of election.~~

SECTION 47. It is proposed that Section 136 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 136. Administrative investigations.

(a) The City Commission ~~shall~~ may by majority vote authorize investigations by resolution. The City Commission, Charter Officers and members of City Commission appointed boards, ~~shall~~ have the power at any time to cause the affairs of any department or the conduct of any officer or employee to be investigated, ~~and.~~ For such purpose each shall have has the power to compel the attendance of witnesses, and the production of books, papers, and other evidence; and ~~for that purpose~~ may issue subpoenas or attachments which ~~shall must~~ must be signed by the Mayor or the City Manager and ~~shall must~~ must be served by any officer authorized by law to serve such process.

(b) The authority making such investigation ~~shall have~~ has the power to cause the testimony to be given under oath, such oath to be administered by some officer having authority under the law of the state to administer oaths; ~~and shall also have.~~ The authority has the power to punish as for contempt any person refusing to testify to any fact within ~~his~~ their knowledge, or produce any book or papers under ~~his~~ their control relating to the matter under investigation.

(c) Nothing in this section should be construed to limit the Charter Officers' ability to inquire into matters under their respective areas of responsibility.

SECTION 48. It is proposed that Section 141 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 141. ~~General laws of state to apply.~~ Initiatives.

~~All general laws of the state applicable to municipal corporations, now or which may hereafter be enacted, and which are not in conflict with the provisions of this Charter or with the ordinances and resolutions hereafter enacted by the city commission, shall be are applicable to this city; provided, however, that nothing contained in this Charter shall be is construed as limiting the power of the city commission to enact any ordinance or resolution not in conflict with the constitution of the state or with the express provisions of this Charter.~~

(a) Power to propose initiatives. The registered voters of the City have the power to propose ordinances (which can include amending existing ordinances) to the City Commission provided that such power does not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of City officers or employees. If the City Commission fails to adopt the proposed ordinance without any change in substance, the voters have the power to adopt or reject it at a City election.

(b) Commencement of proceedings. Any five (5) registered voters may commence an initiative proceeding by filing an affidavit with the City Clerk stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance to be voted upon. Promptly after the

affidavit of the petitioners' committee is filed, the City Clerk will, at the committee's request and expense, issue the appropriate petition blanks to the petitioners' committee.

(c) Petitions.

(1) Number of signatures. Initiative petitions must be signed by registered voters of the City equal in number to at least ten (10) percent of the total number of qualified voters registered to vote in the last regular City election.

(2) Form and content. All papers of a petition must be uniform in size and style and assembled as one instrument for filing. Each signature must be executed by hand in ink or indelible pencil and shall be followed by the address of the person signing. Petitions must contain or have attached thereto throughout their circulation; the full text of the ordinance being proposed.

(3) Affidavit of circulator. When filed, each paper of a petition must have attached to it an affidavit executed by its circulator stating that the circulator personally circulated the paper, giving the number of signatures thereon, and stating that all the signatures were affixed in the circulator's presence, that the circulator believes them to be genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance being proposed.

(d) Procedure after filing.

(1) Certificate of City Clerk; amendment. Within twenty (20) days after the petition is filed, the City Clerk will complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and promptly send a copy of the certificate to the petitioners' committee by registered mail. The only grounds for insufficiency are failure to comply with subsection (c) of this section. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the City Clerk within two (2) days after receiving the copy of the City Clerk's certificate and files a supplementary petition with additional signatures within ten (10) days after receiving the copy of such certificate. The supplementary petition must comply with the requirements of paragraphs (2) and (3) of subsection (c) above and within five (5) days after it is filed, the City Clerk will complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request City Commission review under paragraph (2) below within the time required, the City Clerk will promptly present their certificate to the City Commission and the certificate will then be a final determination as to the sufficiency of the petition. The City Clerk will be paid by the petitioners' committee any amount charged by the Nassau County Supervisor of Elections for verification of the names on the petition.

(2) Commission review. If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the City Commission. The City Commission will review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the City Commission's determination is then the final determination as to the sufficiency of the petition.

(3) Court review; new petition. A final determination as to the sufficiency of a petition will be subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose.

(e) Action on petitions.

(1) Action by Commission. When an initiative petition has been finally determined sufficient, the City Commission will promptly consider the proposed initiative ordinance. If the City Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days after the date the petition was determined sufficient, the Commission will submit the proposed ordinance to the voters of the City.

(2) Submission to voters. The vote by the electorate of a proposed ordinance will be held at the next regular general City election, but not less than ninety (90) days from the date that the petition was determined sufficient. The City Commission in its discretion may provide for a special election at an earlier date than the next regular election provided that the date of the special election is at least ninety (90) days after the date that the petition was determined sufficient. Copies of the proposed ordinance will be made available at the polls.

(3) Withdrawal of petitions. An initiative petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the City by filing with the City Clerk a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon the filing of such request, the petition has no further force or effect and all proceedings thereon are terminated.

(f) Results of election. If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, the ordinance is considered adopted upon certification of the election results and will be treated in all respects in the same manner as ordinances of the same kind adopted by the City Commission; provided, however, that the same shall not be amended or repealed except by a vote of a supermajority of the Commission. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

SECTION 49. It is proposed that the City of Fernandina Beach Charter be amended by creating a section formerly reserved as Section 142 which section reads as follows:

Sec. 142. Reserved Charter amendment and review.

~~At least once every seven (7) years, the City Commission must appoint a Charter Review Committee, in an odd-numbered year, of not less than seven (7) members from the City electors to review the City Charter and propose any amendments or revisions, which may be advisable for placement on the election ballot.~~

- (a) This Charter may be amended by either (1) ordinance proposed and adopted by the City Commission or (2) petition proposed and signed by at least 10 percent of the total number of qualified voters registered to vote in the last regular City election; in each case, in accordance with Florida Statute 166.031.
- (b) Beginning in 2027, and at least once every eight (8) years thereafter, the City Commission must appoint a Charter Review Committee, of not less than seven (7) members from the City electors to review the City Charter and propose to the City Commission any amendments or revisions, which may be advisable for placement on the election ballot. The City Attorney is responsible for supporting such committee with staff and legal advice.

SECTION 50. It is proposed that Section 143 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 143. Savings clause.

If any section or part of a section of this Charter proves to be invalid or unconstitutional, the same ~~shall not be held to~~ does not invalidate or impair the validity, force, or effect of any other section or part of a section of this Charter, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

SECTION 51. It is proposed that Section 144 of the City of Fernandina Beach's Charter be amended to read as follows:

Section 144. When this Charter becomes effective.

The foregoing sections of this Charter shall take effect upon their ratification by a majority vote of the qualified electors of the said City of Fernandina Beach voting at a special or general election to be held in the City of Fernandina Beach.

SECTION 52. A referendum election is hereby called and will be held via mail ballot, for consideration by the voters of the City of Fernandina Beach of the proposed amendments to the City Charter. The questions to appear on the referendum mail ballot reflecting the proposed amendments to the City Charter at the mail ballot election to be scheduled on or before June 15, 2021 will be as follows:

Question No. 1

Should the Fernandina Beach City Charter be amended to change the word "groups" to "seats" to be more clear that City Commissioners do not serve districts but are elected at large for one seat? ~~and should the City eliminate runoff election in December and instead have an "initial" election, like a primary election, earlier than November when more than two candidates qualify for election to one "seat"?~~

Yes
No

Question No. 2

Should the Fernandina Beach City Charter be amended to provide that City Commissioners must complete annual performance evaluations for Charter Officers, and that City Commissioners who directly interfere in administrative duties of City employees may be subject to sanctions by the City Commission and forfeiture of their Commission seat after a public hearing?

Yes
No

Question No. 3

Should the Fernandina Beach City Charter be amended to provide that a City Commissioner convicted of a felony, is absent from 3 regular meetings in a year or violates the Florida Code of Ethics for Public Officers is suspended from office pending a hearing that can result with the accused Commissioner forfeiting their Commission seat, and that the City Commission fills vacancies on the Commission by appointment?

Yes
No

Question No. 4

Should the Fernandina Beach City Charter be amended to provide for a binding election by the voters for Mayor instead of the current non-binding straw ballot election of Mayor and appointment by City Commission?

Yes

No

Question No. 5

Should the Fernandina Beach City Charter be amended to provide that the Mayor is responsible for ensuring that City Commissioners complete annual performance evaluations for all Charter Officers (City Manager, City Attorney, City Clerk)?

Yes

No

Question No. 6

Should the Fernandina Beach City Charter be amended to allow a City Commissioner suffering from a serious medical condition to use media technology to attend and cast votes at City Commission meetings?

Yes

No

Question No. 7

Should the Fernandina Beach City Charter be amended to provide that the City Commission must consider more than one City Manager candidate for hire, that the City Manager must have prior management experience and be a member of a professional organization for city managers, and that the City Manager has 90 days to become a resident of the City after taking the oath of office?

Yes

No

Question No. 8

Should the Fernandina Beach City Charter be amended to require that the City Attorney be admitted to practice law in all courts of the state and in federal courts, and that it is preferred that the City Attorney be board certified in local government law by the Florida Bar Association?

Yes

No

Question No. 9

Should the Fernandina Beach City Charter be amended to require referendum approval by the voters in the City before the Police Department could be dissolved?

Yes
No

Question No. 10

Should the Fernandina Beach City Charter be amended to require referendum approval by the voters in the City before the Fire Department could be dissolved?

Yes
No

Question No. 11

Should the Fernandina Beach City Charter be amended to require that the City Clerk be a member of a professional clerk's association, that the City Commission have an employment contract with the City Clerk and that the City Clerk propose a City Clerk pro tem to serve in the absence of the City Clerk?

Yes
No

Question No. 12

Should the Fernandina Beach City Charter be amended to require that the Comptroller: a) have professional credentials such as Certified Public Accountant; b) be a member of the Florida Government Finance Officers Association; c) propose sound investment policies for the City; and d) schedule an annual financial audit of City accounts by an independent certified public accountant?

Yes
No

Question No. 13

Should the Fernandina Beach City Charter be amended to prohibit any transfers of money from the Land Conservation Trust Fund to any other City fund and that no funds in the Land Conservation Trust Fund can be appropriated for any purpose other than those set forth in the Fernandina Beach Land Conservation Program?

Yes
No

Question No. 14

Should the Fernandina Beach City Charter be amended to delete prohibitions on community redevelopment areas (CRA's) that limit the number to no more than 2 CRA's in the City and that no CRA can be created with properties valued collectively at more than 2% of the total assessed value of all property in the City?

Yes
No

Question No. 15

Should the Fernandina Beach City Charter be amended to provide for oath of office language for every City employee, board member and City Commissioner that includes requirements of state law and additional affirmations to abide by the City's Comprehensive Plan and Code of Ethics for Public Officers and Employees?

Yes

No

Question No. 16

Should the Fernandina Beach City Charter be amended to provide that Charter Officers and advisory board members as well as City Commissioners have the power to cause any City department or the conduct of any City officer or employee to be investigated in accordance with City procedures?

Yes

No

Question No. 17

Should the Fernandina Beach City Charter be amended to provide for a citizen initiative process to introduce new ordinances to the City Commission for approval, and if rejected by the City Commission, the ordinance initiative would go to voters of the City at a referendum election?

Yes

No

Question No. 18

Should the Fernandina Beach City Charter be amended to provide that the City Charter must be reviewed every 8 years and require the City Commission to appoint a Charter Review Committee made up of City electors to make recommendations for changes to the City Charter?

Yes

No

Question No. 19

Should the Fernandina Beach City Charter be amended to correct errors and describe the City as:

The City of Fernandina was first established in 1825, then abolished and reincorporated in 1921 by the Florida Legislature. The Town of Fernandina Beach was established in 1949 by the Florida Legislature. The City of Fernandina and the Town of Fernandina Beach were consolidated as the City of Fernandina Beach on January 1, 1952 after approval by voters?

Yes

No

Question No. 20

Should the City of Fernandina Beach Charter be amended to remove certain provisions that are already covered by state law, clarify certain provisions without changing the meaning by combining sections or moving sections, and revise certain provisions to be consistent with state law?

SECTION 53. The City Clerk is directed to notify the Nassau County Supervisor of Elections that the referendum items provided above will be considered by mail in ballot on (date to be determined) by the electors of the City of Fernandina Beach.

SECTION 54. This ordinance will be published in accordance with law.

SECTION 55. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof is held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application will not be affected thereby.

SECTION 56. The provisions of this ordinance will take effect immediately upon its passage and adoption. The amendments to the Charter will take effect only upon approval of a majority of the City electors voting at the referendum election on each issue and upon the filing of the amended Charter with all amendments approved by the City electors with the Secretary of State.

ENACTED this 19th day of January, 2021.

CITY OF FERNANDINA BEACH



MICHAEL A. LEDNOVICH
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk



TAMMI E. BACH
City Attorney

Charter Review Committee 2020

Proposed Changes

Last updated September 21, 2020

Rationale for Some Language Changes

- USE OF “SHALL”: The Committee recommends removal of the word “shall” pursuant to current legal writing standards. As appropriate, it has been replaced with “will”, “must” or active language throughout the document.
- HIS/HERS: The Committee recommends removing all personal pronouns to be inclusive and conform to more modern style.

Section 1 – Creation

Current Language

The City of Fernandina and the City of Fernandina Beach were combined into one municipality called the City of Fernandina in 1921 pursuant to the Laws of Florida, Chapter 8949 (1921). The name of the municipality was changed to the City of Fernandina Beach (1951) and has operated as a municipal corporation pursuant to Charter since that time.

Proposed Language

~~The City of Fernandina and the City of Fernandina Beach were combined into one municipality called the City of Fernandina in 1921 pursuant to the Laws of Florida, Chapter 8949 (1921). The name of the municipality was changed to the City of Fernandina Beach (1951) and has operated as a municipal corporation pursuant to Charter since that time.~~

The City of Fernandina was first established in 1825, then later abolished and reincorporated in 1921 by the Florida Legislature. The Town of Fernandina Beach was established in 1949 by the Florida Legislature. The City of Fernandina and the Town of Fernandina Beach were consolidated as the City of Fernandina Beach on January 1, 1952 after referendum approval by voters.

Rationale

- The current description of the creation of the City of Fernandina Beach in the Charter is inaccurate. This new language corrects inaccuracies.

Sections 2, 3, 4, 5 - Reserved

Current Language

- Sec. 2. – Reserved.
- Sec. 3. – Reserved.
- Sec. 4. – Reserved.
- Sec. 5. – Reserved.

Proposed Language

- No changes

Section 6 – Boundaries (1 of 3)

Current Language

- That the following shall be the territory the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipality shall exercise its jurisdiction and powers in accordance with state law and City ordinances, to wit:

Proposed Language

- That the following ~~shall be~~ is the territory the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipality ~~shall~~ exercises its jurisdiction and powers in accordance with state law and City ordinances, to wit:

Section 6 – Boundaries (2 of 3)

Current Language

(a) *Original boundaries.* Beginning at a point where the range line between Range Twenty-eight (28) East, and Range Twenty-nine (29) East intersects the southerly boundary of Egan's Creek; thence north, along the said range line, to a point on the low water mark of Cumberland Sound; thence easterly, along the said low water mark of Cumberland Sound, to a point on the low water mark of the Atlantic Ocean; thence southerly, along the said low water mark of the Atlantic Ocean, to a point on the southerly boundary of Section Ten (10), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty-nine degrees fifty-five minutes west (S89°55'W), along the southerly boundary of said Section Ten (10), a distance of five hundred eighty-three (583.0) feet, more or less, to a point at the southwest corner of said Section Ten (10), thence north seven degrees twenty-four minutes east (N7°24'E), along the westerly line of said Section Ten (10), a distance of one thousand seven hundred twenty-eight and three-tenths (1728.3) feet to a point at the northwest corner of said Section Ten (10) and on the south line of Section Eight (8), Township Two (2) North, Range Twenty-eight (28) East, said point being south eighty-five degrees fifty-three minutes west (S85°53'W) a distance of two hundred fifty and fourteen hundredths (250.14) feet from the southeast corner of said Section Eight (8); thence south eighty-five degrees fifty-three minutes west (S85°53'W), along the south line of said Section Eight (8), a distance of one thousand seventy-nine and six-tenths (1079.6) feet to a point; thence south eight degrees eighteen minutes west (S8°18'W) a distance of three thousand one hundred sixty-nine and eighty-eight hundredths (3169.88) feet to a point on the south line of Section Eleven (11), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty degrees twenty-four minutes west (S80°24'W), along the south line of said Section Eleven (11), a distance of five thousand two hundred thirty-eight (5238.0) feet, more or less, to a point at the southwest corner of said Section Eleven (11); thence in a northerly direction, along the west line of said Section Eleven (11) and the west line of Government Lots Four (4) and Three (3) in Section Six (6), Township Two (2) North, Range Twenty-eight (28) East, a distance of ten thousand seven hundred fifty (10,750.0) feet, more or less, to a point on the north line of said Section Six (6), said point being the southwest corner of Lot Sixty-six (66) of Ocean Breeze Farms Subdivision as recorded in Plat Book Two (2) at page nineteen (19) of the public records of said Nassau County, Florida; thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of said Section Six (6), a distance of four hundred nineteen and six-tenths (419.6) feet to a point at the southwest corner of Lot Ninety-nine (99); thence north one degree thirty-seven minutes east (N1°37'E), along the west line of Lots Ninety-nine (99) and Sixty-five (65), a distance of five hundred eleven and five-tenths (511.5) feet to a point at the northwest corner of said Lot Sixty-five (65); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Lots Sixty-five (65) and Fifty-two (52), a distance of one thousand three hundred twenty (1320.0) feet to a point at the northeast corner of said Lot Fifty-two (52); thence south one degree thirty-seven minutes west (S1°37'W), along the east line of Lots Fifty-two (52) and one hundred (100), a distance of five hundred eleven and five-tenths (511.5) feet to a point on the north line of said Section Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Sections Six (6) and Seven (7), Township Two (2) North, Range Twenty-eight (28) East, a distance of three thousand ninety-nine and twenty-seven hundredths (3099.27) feet to a point in the center of the south line of Lot One hundred five (105) of Ocean Breeze Farms Subdivision as recorded in Plat Book "O" at page fifty-nine (59) of the public records of said Nassau County, Florida; thence north one degree fifty-four minutes east (N1°54'E), along the center line of Lot One hundred five (105) and Lot Six (6), a distance of three hundred forty-six and five-tenths (346.5) feet to a point in the center of said Lot Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E) a distance of three hundred three and twenty-five hundredths (303.25) feet to a point at the center of the west line of Lot Seven (7); thence north one degree thirty-seven minutes east (N1°37'E), along the west line of Lots Seven (7) and Eight (8), a distance of four hundred ninety-five (495.0) feet to a point at the northwest corner of said Lot Eight (8); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Lots Eight (8), Nineteen (19), and Twenty-one (21), a distance of one thousand seven hundred ninety (1790.0) feet to a point at the northeast corner of said Lot Twenty-one (21); thence south three degrees eighteen minutes east (S3°18'E), along the east Lot Twenty-one (21), a distance of seven hundred forty-nine and eleven hundredths (749.11) feet to a point on the north line of said Section Eight (8); thence north eighty-five degrees fifty-three minutes east (N85°53'E) along the north line of said Section Eight (8), a distance of one thousand six hundred nine and six-tenths (1609.6) feet to a point at the northeast corner of said Section Eight (8); thence northerly, in a straight line through Sections Two (2) and One (1), Township Two (2) North, Range Twenty-eight (28) East, to a point at the northwest corner of Section Six (6), Township Two (2) North, Range Twenty-nine (29) East; thence northerly, along the range line between Ranges Twenty-eight (28) and Twenty-nine (29) East, Township Three (3) North, to a point at the northeast corner of Citrona Lot Twenty-eight (28), according to the official plat of the City of Fernandina Beach (formerly named Fernandina) 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; thence north eighty-two degrees twenty-eight minutes west (N82°28'W), along the prolongation of the southerly right-of-way line of Lime Street (60°R/W), to the low water mark of Amelia River; thence northerly, along the low water mark of Amelia River, to a point at the mouth of Egan's Creek to the point of beginning.

Proposed Language

(a) *Original boundaries of the City.* Beginning at a point where the range line between Range Twenty-eight (28) East, and Range Twenty-nine (29) East intersects the southerly boundary of Egan's Creek; thence north, along the said range line, to a point on the low water mark of Cumberland Sound; thence easterly, along the said low water mark of Cumberland Sound, to a point on the low water mark of the Atlantic Ocean; thence southerly, along the said low water mark of the Atlantic Ocean, to a point on the southerly boundary of Section Ten (10), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty-nine degrees fifty-five minutes west (S89°55'W), along the southerly boundary of said Section Ten (10), a distance of five hundred eighty-three (583.0) feet, more or less, to a point at the southwest corner of said Section Ten (10), thence north seven degrees twenty-four minutes east (N7°24'E), along the westerly line of said Section Ten (10), a distance of one thousand seven hundred twenty-eight and three-tenths (1728.3) feet to a point at the northwest corner of said Section Ten (10) and on the south line of Section Eight (8), Township Two (2) North, Range Twenty-eight (28) East, said point being south eighty-five degrees fifty-three minutes west (S85°53'W) a distance of two hundred fifty and fourteen hundredths (250.14) feet from the southeast corner of said Section Eight (8); thence south eighty-five degrees fifty-three minutes west (S85°53'W), along the south line of said Section Eight (8), a distance of one thousand seventy-nine and six-tenths (1079.6) feet to a point; thence south eight degrees eighteen minutes west (S8°18'W) a distance of three thousand one hundred sixty-nine and eighty-eight hundredths (3169.88) feet to a point on the south line of Section Eleven (11), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty degrees twenty-four minutes west (S80°24'W), along the south line of said Section Eleven (11), a distance of five thousand two hundred thirty-eight (5238.0) feet, more or less, to a point at the southwest corner of said Section Eleven (11); thence in a northerly direction, along the west line of said Section Eleven (11) and the west line of Government Lots Four (4) and Three (3) in Section Six (6), Township Two (2) North, Range Twenty-eight (28) East, a distance of ten thousand seven hundred fifty (10,750.0) feet, more or less, to a point on the north line of said Section Six (6), said point being the southwest corner of Lot Sixty-six (66) of Ocean Breeze Farms Subdivision as recorded in Plat Book Two (2) at page nineteen (19) of the public records of said Nassau County, Florida; thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of said Section Six (6), a distance of four hundred nineteen and six-tenths (419.6) feet to a point at the southwest corner of Lot Ninety-nine (99); thence north one degree thirty-seven minutes east (S88°23'E), along the north line of Lots Sixty-five (65) and Fifty-two (52), a distance of one thousand three hundred twenty (1320.0) feet to a point at the northeast corner of said Lot Fifty-two (52); thence south one degree thirty-seven minutes west (S1°37'W), along the east line of Lots Fifty-two (52) and one hundred (100), a distance of five hundred eleven and five-tenths (511.5) feet to a point on the north line of said Section Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Sections Six (6) and Seven (7), Township Two (2) North, Range Twenty-eight (28) East, a distance of three thousand ninety-nine and twenty-seven hundredths (3099.27) feet to a point in the center of the south line of Lot One hundred five (105) of Ocean Breeze Farms Subdivision as recorded in Plat Book "O" at page fifty-nine (59) of the public records of said Nassau County, Florida; thence north one degree fifty-four minutes east (N1°54'E), along the center line of Lot One hundred five (105) and Lot Six (6), a distance of three hundred forty-six and five-tenths (346.5) feet to a point in the center of said Lot Six (6); thence south eighty-eight degrees twenty-three minutes east (S88°23'E) a distance of three hundred three and twenty-five hundredths (303.25) feet to a point at the center of the west line of Lot Seven (7); thence north one degree thirty-seven minutes east (N1°37'E), along the west line of Lots Seven (7) and Eight (8), a distance of four hundred ninety-five (495.0) feet to a point at the northwest corner of said Lot Eight (8); thence south eighty-eight degrees twenty-three minutes east (S88°23'E), along the north line of Lots Eight (8), Nineteen (19), and Twenty-one (21), a distance of one thousand seven hundred ninety (1790.0) feet to a point at the northeast corner of said Lot Twenty-one (21); thence south three degrees eighteen minutes east (S3°18'E), along the east Lot Twenty-one (21), a distance of seven hundred forty-nine and eleven hundredths (749.11) feet to a point on the north line of said Section Eight (8); thence north eighty-five degrees fifty-three minutes east (N85°53'E) along the north line of said Section Eight (8), a distance of one thousand six hundred nine and six-tenths (1609.6) feet to a point at the northeast corner of said Section Eight (8); thence northerly, in a straight line through Sections Two (2) and One (1), Township Two (2) North, Range Twenty-eight (28) East, to a point at the northwest corner of Section Six (6), Township Two (2) North, Range Twenty-nine (29) East; thence northerly, along the range line between Ranges Twenty-eight (28) and Twenty-nine (29) East, Township Three (3) North, to a point at the northeast corner of Citrona Lot Twenty-eight (28), according to the official plat of the City of Fernandina Beach (formerly named Fernandina) 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; thence north eighty-two degrees twenty-eight minutes west (N82°28'W), along the prolongation of the southerly right-of-way line of Lime Street (60°R/W), to the low water mark of Amelia River; thence northerly, along the low water mark of Amelia River, to a point at the mouth of Egan's Creek; thence easterly, along the southerly boundary of Egan's Creek to the point of beginning.

Section 6 – Boundaries (3 of 3)

Current Language

(b) *Additions.*

(1)—Certain real property contiguous to the corporate limits of the City of Fernandina Beach, Florida, described as follows, is hereby annexed by the city and shall hereafter be a part of the corporate limits of the city:

That portion of Lots 12 and 13 lying westerly of the city limits of Fernandina Beach, Florida. Lot 14 and the easterly ½ of Lot 15, Block 2, Sadler Estates, as recorded in Plat Book 2, page 62, of the public records of Nassau County, Florida.

All of that property as described below which lies west of the westerly city limits of Fernandina Beach, Florida.

From a point of beginning: Begin at the southeast corner of Section 29, aforementioned; and run south 89°35'15" west along the southerly line of said section a distance of 213.69 feet to the center of a 25.0 feet, more or less, drainage canal; run thence north 5°02'36" east along said center of canal, a distance of 305.30 feet; run thence north 5°54'03" east continuing along said center of canal, a distance of 300.01 feet; run continuing along said center of canal a distance of 300.01 feet; run thence north 7°02'04" east continuing along said center of canal, a distance of 200.15 feet; run thence north 1°56'15" west continuing along said center of canal, a distance of 228.25 feet; run thence north 9°30'39" west continuing along said center of canal, a distance of 280.01 feet to where said center of canal intersects with the southerly boundary of Block 2, Sadler Estates, according to plat recorded in the public records of said county in Plat Book 2, page 68; run thence south 78°14' east along said southerly boundary a distance of 807.49 feet to the southeast corner of Lot 6, Block 2, aforesaid; run thence north 11°46' east along the easterly boundary of Lot 6, aforesaid, a distance of 10.0 feet to the southwest corner of Lot 5, Block 2, aforesaid; run thence south 78°14' east continuing along the southerly boundary of Block 2, aforesaid, and the easterly extension thereof, a distance of 421.69 feet to where said southerly boundary intersects with the westerly right-of-way of First Avenue extension (a 60.0 foot right-of-way); run thence south 11°07' west along said right-of-way a distance of 971.08 feet to the beginning of a curve concave to the easterly, having a radius of 1,636.86 feet; run thence in a southerly direction along the arc of said curve and right-of-way a chord distance of 203.92 feet to the point of reverse curve (the bearing of the aforesaid chord being south 7°53'15" west); run thence in a southerly direction along the arc of a curve concave to the westerly, having a radius of 1,576.86 feet and continuing along said right-of-way a chord distance of 193.96 feet to the point of tangency (the bearing of the aforesaid chord being south 7°53'15" west); run thence south 11°27' west, continue along said right-of-way a distance of 5.70 feet to where said right-of-way intersects with the southerly line of Section 20, aforementioned; run thence north 89°18" west along said southerly line, a distance of 893.67 feet to the point of beginning.

(2)—The following parcel of real property be annexed to the City of Fernandina Beach, pursuant to petition filed by the owner of said lands and approved by the City Commission of the City of Fernandina Beach, said real property and owner of same being as follows:

A portion of Section Eleven (11), Township Two (2) North, Range Twenty eight (28) East, Nassau County, Florida. Said portion being more particularly described as follows:

For a point of reference commence at the northeast corner of Section Eleven (11), aforementioned, and run south eighty five (85) degrees, fifty five (55) minutes, thirty (30) seconds west along the south right-of-way line of Bill Melton Road (a sixty (60.0) foot right-of-way) a distance of three hundred thirty-one and sixty-one hundredths (331.61) feet to the point of beginning.

From the point of beginning thus described, continue south eighty five (85) degrees, fifty five (55) minutes, thirty (30) seconds west along said right-of-way a distance of four hundred ninety-one and nineteen hundredths (491.19) feet to the beginning of a curve concave to the southeasterly, having a radius of thirty (30.0) feet; run thence in a southerly direction departing said right-of-way and along the arc of said curve, a chord distance of forty-four and thirty-eight hundredths (44.38) feet to the point of tangency (the bearing of the aforementioned chord being south thirty-eight (38) degrees, thirteen (13) minutes west); run thence south nine (09) degrees, twenty-nine (29) minutes, thirty (30) seconds east a distance of one hundred thirty-five and fifty-two hundredths (135.52) feet to the beginning of a curve concave to the northwesterly, having a radius of one hundred five (105.0) feet; run thence in a southerly direction along the arc of said curve a chord distance of ninety-one and forty-seven hundredths (91.47) feet (the bearing of the aforementioned chord being south sixteen (16) degrees, nineteen (19) minutes, forty-three (43) seconds west); run thence north eighty five (85) degrees, fifty five (55) minutes, thirty (30) seconds east a distance of five hundred ninety and twenty-nine hundredths (590.29) feet; run thence north fifteen (15) degrees, fifteen (15) minutes, forty-one (41) seconds west a distance of two hundred fifty-eight and thirty-nine hundredths (258.39) feet to the point of beginning.

Said lands being owned by the Davis Phoenix Company, Inc., a Florida corporation, less and except the easterly sixty (60.0) feet thereof, which is owned by the City of Fernandina Beach.

Proposed Language

(b) Additions to City Boundaries.

Pursuant to Florida law, the City is permitted to annex additional properties in accordance with procedures established by state and local laws. The current boundary records are kept in the City Clerk’s Office and are available for view upon request.

Rationale – Section 6 changes

- Instead of continuously updating the Charter as the City's boundaries change, or having an outdated boundary listed, the Committee recommends having the current boundaries kept up to date in the Clerk's Office. This mirrors similar language from several peer cities.

Section 7 – Powers of City generally.

Current Language

- (a) The City of Fernandina Beach shall have full power and authority to:
- (1) Acquire, take, hold, control and dispose of property, real, personal and mixed, both within and without its corporate limits, for the use, benefit, welfare and best interest of said municipality, by acquisition, condemnation or otherwise;
 - (2) To issue and sell bonds upon its property both within and without its corporate limits, or the earnings thereof, or both;
 - (3) To adopt and enforce local police, sanitary and other similar regulations not in conflict with the laws of the state;
 - (4) To do whatever is necessary and proper for the safety, health, convenience and general welfare of its inhabitants; and
 - (5) To exercise all other powers of local self-government.
- (b) The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have, and may exercise, all other powers which, under the constitution and laws of Florida, it would be competent for this section specifically to enumerate.

Proposed Language

- (a) The City of Fernandina Beach ~~shall have~~ has full power and authority to:
- (1) Acquire, take, hold, control and dispose of property, real, personal and mixed, both within and without its corporate limits, for the use, benefit, welfare and best interest of ~~said~~ the municipality, by acquisition, condemnation or otherwise;
 - (2) Issue and sell bonds upon its property both within and without its corporate limits, or the earnings thereof, or both;
 - (3) Adopt and enforce local police, sanitary and other similar regulations not in conflict with the laws of the state;
 - (4) Do whatever is necessary and proper for the safety, health, convenience and general welfare of its inhabitants; ~~and~~
 - (5) Exercise all other powers of local self-government; and
- (6) Own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare.
- (b) ~~The enumeration of particular powers by this Charter are not shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have, and may exercise, all other powers which, under the constitution and laws of Florida, it would be competent for this section specifically to enumerate.~~ are some of the municipal home rule powers provided for by the Florida State Constitution and Laws of Florida, and there are other governmental, corporate and proprietary powers not enumerated in this Charter which may be exercised by the City to conduct municipal government, perform municipal functions and render municipal services. (as set forth in Section 166.021, Fla. Stats.)

Rationale – Section 7 Changes

- Clean up legalese; reference home rule.
- Incorporate Sec. 45 here due to relevance.
- Incorporate Sec. 141 due to relevance.

Section 8 – Commissioner-manager plan (form) of government.

Current Language

- The form of government of the City of Fernandina Beach provided for under this Act shall be that known as the "Commission-Manager Plan," and the commission shall consist of five (5) citizens, who shall be elected at large in the manner hereinafter provided. The commission shall constitute the governing body with powers as hereinafter provided to pass ordinances, adopt regulations and appoint a chief administrative officer to be known as the "City Manager," and to exercise all other powers hereinafter provided.

Proposed Language

- The form of government of the City of Fernandina Beach provided for under this Act ~~shall be that~~ is known as the "Commission-Manager Plan," and the Commission ~~shall consists~~ consists of five (5) citizens, who ~~shall be~~ are elected at large in the manner ~~hereinafter~~ provided in this Charter. The Commission ~~shall constitutes~~ constitutes the governing body with powers ~~as hereinafter provided~~ to pass ordinances, adopt regulations-resolutions and appoint a chief administrative officer to be known as the "City Manager," and to exercise all other powers ~~hereinafter~~ provided in this Charter and under Florida law.

Rationale – Section 8 Changes

- Clean up legalese.

Section 9 - Created; election by ~~groups~~ seats, number; term. (1 of 2)

Current Language

- The City Commission shall prescribe the conduct, method, dates and manner of holding elections by ordinance, in substantial compliance with the principles adopted for state elections. In matters on which the conduct of municipal elections can vary from the conduct of state elections, the City Commission may, by ordinance, adopt rules specific to municipal elections. All City elections shall be non-partisan.

There is hereby created a City Commission to consist of five (5) electors of the City of Fernandina Beach and elected at large.

(a) If an affirmative majority of the present City Commission so desires, the city shall, by ordinance, motion or otherwise, elect five (5) members for said commission in the following manner:

One (1) member shall run as a candidate from and be elected by the qualified electors of group one (1), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group one (1) of said city.

One (1) member shall run as a candidate from, and be elected by the qualified electors of, group two (2), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group two (2) of said city.

One (1) member shall run as a candidate from, and be elected by the qualified electors of, group three (3), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group three (3) of said city.

One (1) member shall run as a candidate from, and be elected by the qualified electors of, group four (4), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group four (4) of said city.

One (1) member shall run as a candidate from, and be elected by the qualified electors of, group five (5), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group five (5) of said city.

Proposed Language

The City Commission ~~shall~~ prescribes the conduct, method, dates and manner of holding elections by ordinance. ~~in substantial compliance with the principles adopted for state elections.~~ In matters on which the conduct of municipal elections can vary from the conduct of state elections, the City Commission may, by ordinance, adopt rules specific to municipal elections. All City elections ~~shall~~ be ~~are~~ non-partisan.

(a) There is hereby created a City Commission to consist of five (5) ~~electors~~ seats of the City of Fernandina Beach, ~~and elected at large by the qualified voters of the City of Fernandina Beach.~~ The designation of seats is not used or construed to divide the City into Commission districts for purposes of qualification, election, or representation.

~~(a) If an affirmative majority of the present City Commission so desires, the city shall by ordinance, motion or otherwise, elect five (5) members for said commission in the following manner:~~

~~One (1) member shall run as a candidate from and be elected by the qualified electors of group one (1), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group one (1) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group two (2), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group two (2) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group three (3), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group three (3) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group four (4), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group four (4) of said city.~~

~~One (1) member shall run as a candidate from, and be elected by the qualified electors of, group five (5), the boundaries of which shall be coterminous with the boundaries of the City of Fernandina Beach, Florida, and when elected shall serve as city commissioner of and for group five (5) of said city.~~

Section 9 - Created; election by ~~groups~~ seats; number; term. (2 of 2)

Current Language

- (b) Members shall serve for a term of four (4) years or until their successors have been elected and take office. Elections for the groups referred to in paragraph (a) shall be held as follows:

Group 1 shall be elected in 2016.

Groups 2 and 3 shall be elected in 2017 and 2020.

Groups 4 and 5 shall be elected in 2015 and 2018.

Thereafter, all groups shall be elected every four (4) years for a term of four (4) years.

- (c) If there are several candidates in each group, then the candidate receiving a majority vote shall be held elected for that group, provided, however, that in the event the candidate shall not receive a majority vote, then and in that event the two (2) candidates receiving the largest or highest votes shall have their names placed on an election ballot (unless one (1) of the two (2) candidates to be elected shall withdraw from the race, then and in that event no run off or second election shall be called and the remaining candidate shall be declared elected) in a run off or second election and in said run off or second election the candidate receiving the largest or highest votes shall be held elected for that group; provided always, however, that this shall not apply to any candidate or candidates that receive a majority vote in the first or general election. Provided, however, that no group or groups of candidates shall qualify in more than one (1) group in any general election or run off or second election in any one year.
- (d) City elections shall be nonpartisan and shall be held every two (2) years in even numbered years and in conjunction with county, state and federal elections. The City Commission shall have the authority to call for special elections at any time not on the same dates as the City general elections for special elections, ballot questions and referenda.

Proposed Language

- (b) Members ~~shall serve for a term of four (4) years or until their successors have been elected and take office. Elections for the groups referred to in paragraph (a) shall be held as follows:~~ Seats 1, 2, and 3 were elected in 2020. Seats 4 and 5 were elected in 2018.

~~Group 1 shall be elected in 2016.~~

~~Groups 2 and 3 shall be elected in 2017 and 2020.~~

~~Groups 4 and 5 shall be elected in 2015 and 2018.~~

Thereafter, all groups seats shall be ~~are~~ elected every four (4) years for a term of four (4) years.

- (c) ~~— If there are several candidates in each seeking the same seat group, then the candidate receiving a majority vote shall be held is elected for that seat. group. provided, However, that in the event the no candidate shall not receives a majority vote, then and in that event the two (2) candidates receiving the largest or highest number of votes shall must have their names placed on an election ballot unless one (1) of the two (2) candidates to be elected shall withdraws from the race, then and in that event no run off or second election shall will be called, and the remaining candidate shall be declared is elected. in a run off or second election and In said a run off or second election, the candidate receiving the largest or highest number of votes shall be held is elected for that seat. group; provided always, however, that this shall not apply to any candidate or candidates that receive a majority vote in the first or general election. Provided, however, that No group or groups of candidates shall can qualify in for more than one (1) group seat in any general election or run off or second election in any one election year. If there are no more than two (2) qualified candidates seeking the same seat, then the election for that seat will be held at the general election in conjunction with county, state, and federal elections. If there are more than two (2) qualified candidates seeking the same seat, then an initial election for that seat will be held at the primary election in conjunction with county, state and federal elections (the "Initial Election"). The two (2) candidates at the Initial Election who receive the highest number of votes for a seat will advance with the election for that seat to be held at the general election in conjunction with county, state, and federal elections. For each seat, the candidate receiving the majority vote in the general election is elected for that seat. No candidates can qualify for more than one (1) seat in any initial election or general election in any election year.~~

- (d) City elections ~~shall be~~ are nonpartisan and shall be held every two (2) years in even numbered years and in conjunction with county, state and federal elections. The City Commission ~~shall have~~ has the authority to call for special elections at any time ~~not on the same dates other than~~ as the City general elections. ~~for special elections, ballot questions and referenda.~~

Rationale – Section 9 Changes

- Clean up legalese; change “groups” to “seats” at large, remove redundant clauses.
- Creates an “initial election” to eliminate December runoff
- Committee recommends that Rank Choice Voting be investigated and considered by the City Commission when the state approves voting software that can accommodate Rank Choice Voting. The City of Sarasota approved Rank Choice Voting by referendum charter change in 2007 but cannot use this method since state has not approved and certified voting equipment to tally votes for this method.

Section 10 – Powers generally; dealing with administrative service through Charter Officers required; penalties for violations deemed misdemeanor, penalty

Current Language

(a) The Mayor and Commissioners shall not, in any manner, dictate the appointment or removal of any city officers or employees whom the Charter Officer or any of his/her subordinates are empowered to appoint, evaluate and supervise.

(b) All powers of the City, except as otherwise provided by this Charter or by the constitution of this state, are hereby vested in the City Commission. Except as otherwise provided by this Charter or by the constitution of this state, the City Commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised.

(c) The Mayor and Commissioners shall deal with administrative service through the respective Charter Officer. The Mayor and Commissioners shall not directly interfere with or direct the conduct of any employee in the discharge of prescribed duties. However, with the express permission of the respective Charter Officer, the Mayor and Commissioners may communicate directly with an employee.

(d) Any violation of the provisions of this section by any member of the City Commission shall, upon first offense be grounds for sanction by the Commission, and any second or subsequent offense or violation within a commissioner's term shall constitute a misdemeanor and, upon conviction thereof before any court of competent jurisdiction the violator shall be fined in an amount not exceeding two hundred dollars (\$200.00), or be imprisoned for a period not exceeding six (6) months, or both, at the discretion of the court, and shall be subject to removal from office.

(e) Investigations or inquiries shall be conducted pursuant to Section 136 of this charter.

Proposed Language

(a) The Mayor and Commissioners ~~shall~~ must not, in any manner, dictate the appointment or removal of any City officers or employees whom ~~the a~~ Charter Officer or any of ~~his/her~~ the Charter Officer's subordinates are empowered to appoint, evaluate and supervise. City Commissioners must each complete an annual performance evaluation for each Charter Officer.

~~(b) All powers of the City, except as otherwise provided by this Charter or by the constitution of this state, are hereby vested in the City Commission. Except as otherwise provided by this Charter or by the constitution of this state, the City Commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised.~~

~~(c)(b)~~ The Mayor and Commissioners ~~shall~~ deal with administrative service through the respective Charter Officer. The Mayor and Commissioners ~~shall~~ must not directly interfere with or direct the conduct of any employee in the discharge of prescribed duties. However, with the express permission of the respective Charter Officer, the Mayor and Commissioners may communicate directly with an employee.

~~(d)(c)~~ Any violation of the provisions of this section by any member of the City Commission ~~shall is~~, upon first offense, be grounds for sanction recognition and discussion by the Commission of the violation, any second or subsequent offense or violation within a Commissioner's term is grounds for sanction by the City Commission, and a third offense within the same Commissioner's term is grounds for forfeiture of the Commission seat by the offending Commissioner. Prior to forfeiture of a Commission seat, any Commissioner accused of violating this Section is entitled to a public hearing conducted in accordance with the City's rules of procedure for quasi-judicial hearings as adopted by ordinance. shall constitutes a misdemeanor and, upon conviction thereof before any court of competent jurisdiction, the violator shall may be fined in an amount not exceeding two hundred dollars (\$200.00), or be imprisoned for a period not exceeding six (6) months, or both, at the discretion of the court, and shall be is subject to removal from office.

~~(e)(d)~~ Investigations or inquiries ~~shall be~~ are conducted pursuant to Section 136 of this Charter.

Rationale – Section 10 Changes

- Clean up legalese.
- Changed penalty and process for interference.
- Added requirement of annual review for Charter Officers.

Section 10A - Referendum required for sale of City-owned recreational facilities and no sale of conservation land.

Current Language

(1) A referendum election shall be required prior to the sale, lease for a period of more than 40 years, or other transfer of City owned swimming pools, golf course or courses, any and all recreational facilities, or lands which are designated for recreational use in the City's comprehensive plan or any portion thereof, and all buildings, improvements and appurtenances pertaining thereto, whether presently built or hereafter built. The City Commission shall pass an ordinance by a majority vote to place the matter on the ballot for the voters to decide. The decision of the voters shall be binding. If approved by the voters, the City Commission shall have the authority to issue a deed for the property, or to issue such other documents as may be necessary to complete the transaction.

(2) "Recreational facilities" as used in this section is hereby defined as any real property, including improvements thereon, owned by the City of Fernandina Beach and used or intended for use by the general public primarily for parks, playgrounds, amusements, resorts, pleasure, nature preserves; botanic, zoological or marine conservatories; sporting events, pleasure boating, swimming, fishing or any other recreational activity. Such recreational facilities shall be designated by a resolution of the City Commission and which resolution shall be updated from time to time.

Proposed Language

- (a) (1) A referendum election is required prior to the sale or lease for a period of more than 40 years of "recreational facilities" such as golf courses, swimming pools, and parks.
- (b) (2) For a referendum election under this Section 10A, the City Commission must first adopt an ordinance by unanimous vote of the Commission to put a sale or lease of recreational facilities on a ballot for the voters, and the referendum must then pass by 70% of the voters in that referendum election.
- (c) "Conservation lands", including City-owned lands protected by conservation easements, must not be leased or sold by the City and are held by the City for the benefit of the public in perpetuity.
- (d) "Recreational facilities" and "conservation lands" are each defined in the City's Comprehensive Plan and generally mean lands or places with a Recreation or Conservation designation, respectively, on the City's Future Land Use Map of the City's Comprehensive Plan. Conservation lands may also include lands owned or leased by the City and protected by conservation easements.

(1) A referendum election shall be required prior to the sale, lease for a period of more than 40 years, or other transfer of City owned swimming pools, golf course or courses, any and all recreational facilities, or lands which are designated for recreational use in the City's comprehensive plan or any portion thereof, and all buildings, improvements and appurtenances pertaining thereto, whether presently built or hereafter built. The City Commission shall pass an ordinance by a majority vote to place the matter on the ballot for the voters to decide. The decision of the voters shall be binding. If approved by the voters, the City Commission shall have the authority to issue a deed for the property, or to issue such other documents as may be necessary to complete the transaction.

(2) "Recreational facilities" as used in this section is hereby defined as any real property, including improvements thereon, owned by the City of Fernandina Beach and used or intended for use by the general public primarily for parks, playgrounds, amusements, resorts, pleasure, nature preserves; botanic, zoological or marine conservatories; sporting events, pleasure boating, swimming, fishing or any other recreational activity. Such recreational facilities shall be designated by a resolution of the City Commission and which resolution shall be updated from time to time.

(3) A referendum election is required prior to leasing for a period of more than 40 years or sale, or other transfer of City owned conservation land which includes land burdened by a conservation easement and/or land that is in a conservation zoning district or has a future land use map designation of conservation. The City Commission must pass an ordinance by super majority vote to place the matter on the ballot for voters to decide. The decision of the voters is binding on the City Commission. If approved by the voters, the City Commission has the authority to issue a deed for the property, or to issue such other documents as may be necessary to complete the transaction.

(4) "Conservation Lands" as used in this section is hereby defined as areas owned by the City of Fernandina Beach and designated Conservation in the City's Future Land Use Map series.

Rationale – Section 10A Changes

- Clean up legalese.
- Add prohibition for sale or lease of conservation lands.
- Restrictive referendum requirement of sale or long term lease of recreational facilities.

Section 10B - ~~General power to borrow money and issue bonds.~~ Reserved.

Current Language

- The City of Fernandina Beach shall have the power to borrow money, contract loans, and issue bonds, notes and other obligations or evidences of indebtedness in accordance with Florida law.

Proposed Language

- ~~The City of Fernandina Beach shall have the power to borrow money, contract loans, and issue bonds, notes and other obligations or evidences of indebtedness in accordance with Florida law.~~
- Delete and reserve.

Rationale – Section 10B Changes

- Redundant and covered by state law.

Section 11 - Qualifications of members; holding of more than one office not permitted; interest in profits of City contracts, ~~etc.,~~ prohibited; filling vacancies.

Current Language

- Members of the commission shall be residents of the city and have the qualifications of electors therein. Officers and employees of the city may not hold more than one office in the city government of the City of Fernandina Beach, and shall not be interested in the profits or emoluments of any contract work or service for the municipality, and any such contract in which any member is, or may become, interested shall be declared void by the commission.

Proposed Language

- (a) The Commission is the judge of the election and qualification of its own members, subject to review by the courts. Members of the City Commission shall must be residents of the City and have the qualifications of electors. therein. Officers and employees of the City may not hold more than one office in the City government of the City of Fernandina Beach, and shall must not be interested in the profits or emoluments of any contract work or service for the municipality, and any such contract in which any member is, or may become, interested shall must be declared void by the City Commission. City Commissioners are "public officers" under Ch. 112, Florida Statutes (Code of Ethics for Public Officers and Employees) and must abide by all of the ethical standards set forth in these statutes.
- (b) Any member of the City Commission ceasing to possess the foregoing qualifications, including violations of Ch. 112, Florida Statutes (state Code of Ethics), or who has been convicted of a felony is automatically suspended from office until the City Commission conducts a public hearing and issues a ruling regarding forfeiture of the Commissioner's seat. The public hearing must be conducted within ten (10) calendar days of a verified, written complaint or request for hearing submitted to the City Attorney. In addition, any member of the City Commission who misses three (3) regular meetings in a calendar year is automatically suspended from office until the City Commission conducts a hearing as set forth herein and issues a ruling regarding forfeiture of the Commissioner's seat. A hearing conducted pursuant to this Section must be conducted in accordance with the City's rules of procedure for quasi-judicial hearings, as adopted by resolution or ordinance.
- (c) Any vacancy in the City Commission must be filled until the next regular municipal election by vote of the remaining members of the City Commission; provided, that if such vacancy is not filled within thirty (30) days after it has occurred, appointment to fill the existing vacancy will be made by the Governor. Vacancies resulting from a recall election will be filled as required by state law.

Rationale – Section 11

- Clean up legalese
- Moves Section 14 to Section 11
- Moves Section 15 to Section 11
- Moves Section 20 to Section 11
- Makes absenteeism consistent with requirements for advisory boards
- Highlights public officials code of ethics
- Due process before forfeiture of Commission seat

Section 12 - Salary of members

Current Language

- The Mayor and City Commissioners shall receive a salary in the amount as established by appropriate city ordinance.

Proposed Language

- The Mayor and City Commissioners ~~shall~~ receive a salary ~~in the amount~~ as established by appropriate City ordinance.

Rationale – Section 12

- Clean up legalese

Section 13 - Limitation on successive terms in office.

Current Language

- The city commissioners shall be limited to two (2) successive terms in office. No person shall be qualified for election or appointment to a vacancy upon the city commission of the City of Fernandina Beach, Florida, unless at least three (3) years have elapsed since such person last held such office, if at that time such person completed two (2) successive and full terms.

Proposed Language

- The City Commissioners ~~shall be~~ are limited to two (2) successive terms in office. No person ~~shall be~~ is qualified for election or appointment to a vacancy upon the City Commission of the City of Fernandina Beach, Florida, unless at least three (3) years have elapsed since such person last held such office, if at that time such person completed two (2) successive and full terms.

Rationale – Section 13

- Clean up legalese

Section 14 - ~~Judge of election and qualifications of members.~~ Reserved.

Current Language

- The commission shall be the judge of the election and qualification of its own members, subject to review by the courts. Any member of the commission who shall be convicted of [a] crime while in office shall thereby forfeit his office.

Proposed Language

- ~~The commission shall be the judge of the election and qualification of its own members, subject to review by the courts. Any member of the Commission who shall be convicted of [a] crime while in office shall thereby forfeit his office.~~
- Delete and reserve.

Rationale – Section 14

- Moved to Section 11

Section 15 - ~~Vacancies, how filled.~~ Reserved.

Current Language

- Any vacancy in the city commission shall be filled until the next regular municipal election by vote of the remaining members of the commission; provided, that if such vacancy is not filled within thirty (30) days after it shall have occurred, appointment to fill the existing vacancy shall be made by the governor. Vacancies resulting from a recall election shall be filled as required by state law.

Proposed Language

- ~~Any vacancy in the City Commission shall be filled until the next regular municipal election by vote of the remaining members of the City Commission; provided, that if such vacancy is not filled within thirty (30) days after it shall have has occurred, appointment to fill the existing vacancy shall be made by the Governor. Vacancies resulting from a recall election shall be filled as required by state law.~~
- Delete and reserve.

Rationale – Section 15

- Moved to Section 11

Section 16 - Mayor—When selected; procedure; term

Current Language

(a) In case the members of the Commission are unable to agree on the selection of Mayor, at the time fixed in the Code of Ordinances for the Commission's annual organization meeting, then the Mayor shall be chosen by lot, conducted by the city attorney, who shall certify the result of such lot upon the journal of the commission.

(b) The mayor shall serve a term of two (2) years to coincide with the municipal general election beginning in 2018, unless sooner removed from office by the City Commission as provided below in subsection (c).

(c) The City Commission may, by majority vote and for any reason, remove the Mayor from office and appoint another incumbent commissioner to serve as Mayor for the remainder of the two (2) year term. The person removed from the office of Mayor shall continue to serve as commissioner until the end of their current term as commissioner unless otherwise prohibited from serving as commissioner by state law.

Proposed Language

~~(a) In case the members of the Commission are unable to agree on the selection of Mayor, at the time fixed in the Code of Ordinances for the Commission's annual organization meeting, then the Mayor shall be chosen by lot, conducted by the City attorney, who shall certify the result of such lot upon the journal of the Commission.~~

(a) The Mayor of the City will be elected by the voters by placement on the ballot as authorized in subsection (b) below and by receiving the highest number of votes for Mayor with such election to be held in conjunction with the regular election held for the purpose of electing City Commissioners.

(b) Candidates for the mayoral election must consist of incumbent Commissioners who are not subject to reelection to the City Commission at that same election. Any eligible candidate wishing to be considered for the position of Mayor must request in writing, no later than the City Commission's deadline for qualifying for running for City Commission in the City general election, to be placed on the ballot.

(c) The mayoral candidate on the ballot with the second highest number of votes in the mayoral election must be appointed to the Vice-Mayor position.

(d) On the occasion that only one incumbent City Commissioner should choose to be on the mayoral ballot, there is no need for the mayoral election, and the one mayoral candidate must be appointed to the position of Mayor at the City Commission's annual organizational meeting. The City Commission may choose any City Commissioner not appointed as the Mayor to be the Vice-Mayor, including newly-elected Commissioners. If no incumbent City Commissioner chooses to be on the mayoral ballot, the City Commission must vote to appoint one of the Commissioners to serve as Mayor and one Commissioner to serve as Vice-Mayor, and newly-elected Commissioners may be considered.

~~(e) The Mayor and Vice Mayor shall each serve a term of two (2) years to coincide with the municipal general election, beginning in 2018, unless sooner removed from office by the City Commission as provided below in subsection (c).~~

~~(c) The City Commission may, by majority vote and for any reason including but not limited to Florida Sunshine Law violations, remove the Mayor from office and appoint another incumbent Commissioner to serve as Mayor for the remainder of the two (2) year term. The person removed from the office of Mayor shall continue to serve as Commissioner until the end of their current term as Commissioner unless otherwise prohibited from serving as Commissioner by state law.~~

~~(f) On the occasion that all eligible candidates but one should withdraw from the straw ballot, election, there shall be no straw ballot election and the one remaining candidate shall be considered the primary candidate for the position of Mayor at the organizational meeting.~~

~~(g) (f) The appointee shall serve as existing Mayor and Vice Mayor will serve until the organizational meeting following the next regular general election held by the City.~~

Rationale – Section 16

- Clean up legalese.
- Changes how mayor and vice mayor are selected from current straw ballot vote to direct election by voters.

Section 17 - ~~Same~~—Functions and powers of the Mayor.

Current Language

- The powers and duties of the Mayor shall be as set forth in this Charter and such other duties as may be conferred upon the Mayor by official action of the City Commission. The Mayor shall have a voice and a vote in the proceedings of the commission but no veto power. The Mayor shall not exercise any administrative power, unless specifically set forth in this Charter. The Mayor shall preside at all meetings of the commission and perform such other duties consistent with the office, and may use the title of Mayor in the execution of legal instruments or when required by the general or special laws of the state. The Mayor shall be recognized as the official head of the city by the courts for the purpose of serving civil processes and for all ceremonial purposes.

Proposed Language

The powers and duties of the Mayor ~~shall be as are~~ set forth in this Charter. ~~and below: and such other duties as may be conferred upon the Mayor by official action of the City Commission.~~

(a) The Mayor ~~shall have~~ has a voice and a vote in the proceedings of the Commission but no veto power;

(b) The Mayor ~~shall~~ does not exercise any administrative power, unless specifically set forth in this Charter;

(c) The Mayor ~~shall~~ presides at all meetings of the Commission and performs such other duties consistent with the office, including but not limited to ensuring that every Commissioner completes an annual performance evaluation for each Charter Officer. ~~and The Mayor may use the title of Mayor in the execution of legal instruments or when required by the general or special laws of the state; and~~

(d) The Mayor ~~shall be recognized as~~ is the official head of the City ~~by the courts~~ for the purpose of serving civil processes and for all ceremonial purposes.

Rationale – Section 17

- Clean up legalese
- Mayor responsible to ensure Charter officer evaluations are conducted

Sections 18, 19 – Reserved.

Current Language

- Sec. 18. – Reserved.
- Sec. 19. – Reserved.

Proposed Language

- No changes

Section 20 - ~~Same~~—~~Vacating seat of member for unexcused absence of specified duration.~~ Reserved.

Current Language

- Absence from four consecutive regular meetings of the commission shall operate to vacate the seat of a member, unless such absence is excused by the commission by resolution setting forth the fact of such excuse duly entered upon the journal.

Proposed Language

- ~~Absence from four consecutive regular meetings of the Commission₂ shall operate to vacate the seat of a member unless such absence is excused by the commission by resolution setting forth the fact of such excuse duly entered upon the journal.~~

Rationale – Section 20

- Moved to Section 11

Section 21 - Adoption and enactment of municipal ordinances and resolutions; quorum for City Commission.

Current Language

(1) The adoption of ordinances and resolutions must be in compliance with Section 166.041, Florida Statutes, or such other section in Florida Statutes pertaining to the adoption of municipal ordinances or resolutions, as the same may be amended from time to time.

(2) A majority of the members of the city commission shall constitute a quorum. An affirmative vote of at least three city commissioners shall be necessary to enact any ordinance or resolution; except that two-thirds of the city commission is required to enact an emergency ordinance. An affirmative vote of a majority of a quorum present is necessary to adopt any resolution. On final passage, the vote of each member of the city commission voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the city commission shall become effective ten (10) days after passage or as otherwise provided therein.

(3) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the presiding officer and the clerk of the city commission.

Proposed Language

~~(1)~~-(a) The adoption of ordinances and resolutions must be in compliance with Section 166.041, Florida Statutes, or such other section in Florida Statutes pertaining to the adoption of municipal ordinances or resolutions, as the same may be amended from time to time.

~~(2)~~-(b) A majority of the members of the City Commission shall constitute a quorum. An affirmative vote of at least three City Commissioners shall be necessary to enact any ordinance or resolution; except that two-thirds a supermajority of the City Commission is required to enact an emergency ordinance. ~~An affirmative vote of a majority of a quorum present is necessary to adopt any resolution.~~ In case of a serious medical condition, as provided by Florida law, a Commissioner may be permitted to vote in real time by communication media technology instead of being physically present. On final passage, the vote of each member of the City Commission voting shall must be entered on the official record of the meeting. All ordinances or resolutions passed by the City Commission shall become effective ten (10) days after passage or as otherwise provided therein.

~~(3)~~-(c) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and ~~shall must~~ be signed by the presiding officer and the City Clerk of the city commission.

Rationale – Section 21

- Clean up legalese
- Allow for virtual participation in medical necessity

Section 22 – ~~Reserved.~~ Boards.

Current Language

- Reserved.

Proposed Language

- The City Commission may at any time appoint a ~~fact-finding or an~~ advisory board or ~~boards~~ committee, on a standing or ad hoc basis, ~~composed of men and women who are~~ residents of the City of Fernandina Beach qualified to act in an advisory capacity to the City Commission or the City Manager, with respect to the conduct and management of any property or institutions or the exercises of any public functions of the City. The members of any ~~such~~ board or committee shall serve without compensation for the time fixed in their appointment or at the pleasure of the Commission, and their duties ~~shall be~~ are to consult and advise with ~~such~~ municipal officers and make written recommendations, which ~~shall~~ then become part of the records of the City.

Rationale – Section 22

- Moved from Sec. 69 for relevance.

Section 23, 24 – Reserved.

Current Language

- Sec. 23. – Reserved.
- Sec. 24. – Reserved.

Proposed Language

- No changes

Section 25 – City Manager appointment; tenure of office; qualifications; ~~manager pro tem~~.

Current Language

- The city commission shall appoint a city manager who shall be the administrative head of the municipal government under the direction and supervision of the city commission, and shall hold office at the pleasure of the city commission. The city manager shall be chosen solely on the basis of executive and administrative qualifications without regard to political belief, and need not be a resident of the city or state at the time of appointment; however, not later than 30 days after executing the Oath of Office, the city manager shall become a resident of the city. The city commission may establish an appropriate contract for the city manager, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate. The city manager may also be deemed to be a regular employee of the city, and the employment conditions, compensation, benefits and other terms may be set by the city commission through ordinance, resolution or policy. During the absence or disability of the city manager, the city commission shall designate some properly qualified person to temporarily execute the function of the city manager.

Proposed Language

- The City Commission ~~shall~~ must appoint a City Manager who ~~shall be~~ is the administrative head of the municipal government under the direction and supervision of the City Commission and ~~shall~~ holds office at the pleasure of the City Commission. The City Manager ~~shall~~ must be chosen solely on the basis of executive and administrative qualifications without regard to political belief, and need not be a resident of the City or state at the time of appointment; however, not later than ~~30~~ 90 days after executing the Oath of Office, the City Manager ~~shall~~ must become a resident of the City. The City Manager must have prior management experience managing at least one government organization with at least 250 employees and several departments, be a member in good standing of a professional organization such as the International City/County Management Association, and the Commission must consider more than one (1) qualified candidate for City Manager. The City Manager must be a member in good standing of a professional organization such as the International City/County Management Association prior to appointment or within six (6) months after appointment. The City Commission ~~may~~ will establish an appropriate contract for the City Manager, which ~~shall~~ contains the employment conditions, compensation, benefits and such other terms as may be appropriate. The City Manager may also be deemed to be a regular employee of the City, and the employment conditions, compensation, benefits and other terms may be set by the City Commission through ordinance, resolution or policy. ~~During the absence or disability of the City Manager, the City Commission shall designate some properly qualified person to temporarily execute the function of the City Manager.~~

Rationale – Section 25

- Clean up legalese
- Expand time for new City Manager to relocate
- Added minimum qualifications for City Manager

Section 26, 27, 28 – Reserved.

Current Language

- Sec. 26. – Reserved.
- Sec. 27. – Reserved.
- Sec. 28. – Reserved.

Proposed Language

- No changes

Section 29 - Powers and duties enumerated.

Current Language

The city manager shall be responsible to the city commission for the proper administration of all affairs of the city, and to that end his powers are and they shall be:

- (a) To see that the laws and ordinances are enforced.
- (b) Except as hereinafter specifically provided, to appoint and remove all subordinate officers and employees of the city; all appointments to be made upon merit and fitness alone.
- (c) To exercise control and direct supervision over all departments and divisions of the municipal government under this Charter, or which may hereafter be created by the city commission, including public utilities owned by said city.
- (d) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the city attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same.
- (e) To attend all meetings of the city commission, and of its committees, with right to take part in the discussions, but without having a vote.
- (f) To recommend to the commission for adoption such measures as he may deem necessary or expedient in the interests of the city.
- (g) To keep the city commission fully advised as to the financial condition and needs of the city and to submit for its consideration an annual budget.
- (h) To perform such other duties as may be prescribed under this Charter or as may be required of him by ordinance or resolution of the city commission.
- (i) He shall be purchasing agent for the city, by whom all purchases of supplies shall be made and he shall approve all vouchers for the payment of same. In the capacity of purchasing agent he shall also conduct all sales of personal property which the commission may authorize to be sold as having become unnecessary or unfit for the city's use. All purchases and sales shall conform to such regulations as the city commission may from time to time prescribe.

Proposed Language

The City Manager ~~shall be~~ is responsible to the City Commission for the proper administration of all affairs of the City, and to that end ~~he has the following powers and duties are and they shall be:~~

- (a) To see that the laws and ordinances are enforced;
- (b) Except as hereinafter specifically provided, to appoint and remove all subordinate officers and employees of the City; all appointments to be made upon merit and fitness alone;
- (c) To exercise control and direct supervision over ~~all~~ departments and divisions of the municipal government under this Charter, or which may hereafter be created by the City Commission, including setting the compensation for officers and employees; including public utilities owned by said city.
- (d) To see that all terms and conditions imposed in favor of the City or its inhabitants in any ~~public utility franchise contract~~ are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the City Attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same;
- (e) To attend all meetings of the City Commission, and of its committees, with right to take part in the discussions, but without having a vote;
- (f) To recommend to the Commission for adoption such measures as ~~he may deem~~ necessary or expedient in the interests of the City;
- (g) To keep the City Commission fully advised as to the financial condition and needs of the City and to submit for its consideration an annual budget and five-year capital improvement plan;
- ~~(h) To perform such other duties as may be prescribed under this Charter or as may be required of him by ordinance or resolution of the City Commission.~~
- ~~(i) He shall be purchasing agent for the City, by whom all purchases of supplies shall be made and he shall approve all vouchers for the payment of same. In the capacity of purchasing agent he shall also conduct all sales of personal property which the Commission may authorize to be sold as having become unnecessary or unfit for the City's use. All purchases and sales shall must conform to such regulations as the City Commission may from time to time prescribe. To be responsible for the procurement, sale of surplus, management, payment, and contract compliance for all supplies, services, and construction contracts, including any Federal, State, or other grant funded activity, at the direction of the City Commission and in accordance with all applicable City, State, or Federal laws and regulations ; and~~
- (i) To designate a City Manager pro tem to be approved by the City Commission to serve in case of absence or disability of the City Manager.

Rationale – Section 29

- Clean up legalese
- Require City Manager to designate pro tem
- Require CM to prepare a capital improvement plan

Section 30 – ~~Reserved.~~ Salaries and compensation.

Current Language

- Sec. 30. – Reserved.

Proposed Language

- The City Manager shall fix the number and compensation of all other officers and employees. The salaries or compensation so fixed shall must be uniform for like services in each grade of the City service, as the same shall will be graded or classified by the City Manager, and approved by the City Commission. All such salaries and rates of pay, with dates of employment and discharge, shall must be immediately reported to the City Clerk. All fees and moneys received or collected by officers and employees shall must be immediately paid over to the City Comptroller on the date of their receipt.

Rationale – Section 30

- Moved from Sec. 120 for relevancy
- Clean up legalese

Section 31 - City Attorney appointment and qualifications; tenure of office; powers and duties enumerated; attorney pro tem

Current Language

a) *Appointment; tenure of office; qualifications; and attorney pro tem.* The City Commission shall appoint a city attorney, who shall act as the legal advisor to and attorney and counselor for the municipality and all of its officers in matters relating to their official duties. The City Attorney shall serve under the direction and supervision of the City Commission and shall hold office at the pleasure of the City Commission. The City Attorney shall be chosen on the basis of legal and administrative qualifications. The City Commission shall establish an appropriate contract for the City Attorney, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Attorney, the City Commission shall designate a properly qualified person to temporarily execute the functions of the office.

b) *Powers and duties enumerated.* The City Attorney shall be responsible to the City Commission for the proper administration of all affairs of the City assigned to the office of the City Attorney and to that end, the City Attorney's duties and powers shall be the following:

- 1) Prepare all contracts, bonds and other instruments in writing in which the municipality is concerned, and shall endorse on each the City Attorney's approval;
- 2) The City Attorney shall be authorized to take such action required to avoid default judgment against the City in any litigation and shall obtain authorization by resolution to prosecute and defend all causes of action, lawsuits and claims in which the City is a party. The City Attorney shall review with the City Commission at the next regular meeting when any action to avoid default has been taken by the City Attorney;
- 3) The City Attorney shall provide opinions of law relating to the activities of the City, the City Commission, the City Manager and City Clerk, upon request; and the direct employees of the City Attorney in the office of the City Attorney shall report to the City Attorney. The City Attorney shall have the authority to hire, direct, promote and terminate the employees in the City Attorney's Office, notwithstanding Section 29(b) herein.

Proposed Language

a) ~~Appointment; tenure of office; qualifications; and attorney pro tem.~~ The City Commission ~~shall~~ must appoint a City Attorney, who ~~shall~~ must act as the legal advisor to and attorney and counselor for the municipality and all of its officers in matters relating to their official duties. The City Attorney ~~shall~~ must serve under the direction and supervision of the City Commission and ~~shall~~ must hold office at the pleasure of the City Commission. The City Attorney ~~shall~~ must be chosen on the basis of legal and administrative qualifications. The City Attorney must be a lawyer admitted to and having authority to practice in all courts of the state, including circuit and district appellate courts of Florida. The City Attorney must also be admitted to practice in the federal Middle District of Florida court and the 11th Circuit Appeals court or be admitted within six months of taking the Oath of Office. It is preferred that the City Attorney be board certified in City, County and Local Government Law by the Florida Bar Association.

(b) The City Commission ~~shall~~ must establish an appropriate contract for the City Attorney, which ~~shall~~ must contain the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Attorney, the City Commission ~~shall~~ must designate a properly qualified person to temporarily execute the functions of the office.

~~b) (c)~~ Powers and duties enumerated. The City Attorney ~~shall be~~ is responsible to the City Commission for the proper administration of all affairs of the City assigned to the office of the City Attorney and to that end, the City Attorney's duties and powers ~~shall be~~ are the following:

- 1) Prepare all contracts, bonds and other instruments in writing in which the municipality is concerned, and ~~shall~~ must endorse on each the City Attorney's approval;
- 2) ~~The City Attorney shall be authorized to take~~ such action required to avoid default judgment against the City in any litigation and ~~shall~~ must obtain authorization by resolution to prosecute and defend all causes of action, lawsuits and claims in which the City is a party. The City Attorney ~~shall~~ must review with the City Commission at the next regular meeting when any action to avoid default has been taken by the City Attorney;
- 3) ~~The City Attorney shall~~ Provide opinions of law relating to the activities of the City, the City Commission, the City Manager and City Clerk, upon request; and the direct employees of the City Attorney in the office of the City Attorney ~~shall~~ must report to the City Attorney. The City Attorney ~~shall~~ must have the authority to hire, direct, promote and terminate the employees in the City Attorney's Office, notwithstanding Section 29(b) herein; and
- 4) For the purpose of serving during the absence or disability of the City Attorney, the City Attorney must propose a list of qualified attorneys for approval by the City Commission from which the City Commission may choose a City Attorney pro tem.

Rationale – Section 31

- Clean up legalese
- Incorporate Sections 32 and 33

Section 32 - ~~Additional duties.~~ Reserved.

Current Language

- In addition to the duties specifically imposed under the preceding section, he [the city attorney] shall perform such other professional duties as may be required of him by ordinance or resolution of the city commission or as are prescribed for city attorneys under the general law of the state which are not inconsistent with this Charter and with any ordinance or resolution which may be passed by the city commission.

Proposed Language

- ~~In addition to the duties specifically imposed under the preceding section, he [the City attorney] shall perform such other professional duties as may be required of him by ordinance or resolution of the City Commission or as are prescribed for City attorneys under the general law of the state which are not inconsistent with this Charter and with any ordinance or resolution which may be passed by the City Commission.~~
- Delete and reserve

Rationale – Section 32

- Delete and move attorney pro tem language to Section 31
- Reserve

Section 33 – Qualifications. Reserved.

Current Language

- The city attorney shall be a lawyer admitted to and having authority to practice in all courts of the state.

Proposed Language

- ~~The City Attorney shall must be a lawyer admitted to and having authority to practice in all courts of the state, including circuit and district appellate courts of Florida. The City Attorney must also be admitted to practice in the federal Middle District of Florida court and the 11th Circuit Appeals court or be admitted within six months of taking the Oath of Office. It is preferred that the City Attorney be board certified in City, County and Local Government Law by the Florida Bar Association.~~
- Delete and reserve.

Rationale – Section 33

- Delete and move to Section 31
- Reserve

Section 34, 35, 36, 37, 38 – Reserved.

Current Language

- Sec. 34. – Reserved.
- Sec. 35. – Reserved.
- Sec. 36. – Reserved.
- Sec. 37. – Reserved.
- Sec. 38. – Reserved.

Proposed Language

- No changes

Section 39, 40 – Reserved.

Current Language

- Sec. 39. – Reserved.
- Sec. 40. – Reserved.

Proposed Language

- No changes

Section 41 - Police ~~force~~ department— Composition; authority of chief.

Current Language

- The police force of the City of Fernandina [Beach] shall consist of a chief of police and as many subordinate officers, policemen and employees as the city commission shall by resolution determine. The chief of police shall have exclusive control of the stationing and transfer of all patrolmen and other officers and employees constituting the police force, subject to the approval of the city manager and under such rules and regulations as the city commission may prescribe or as may be prescribed by the ordinances of the city

Proposed Language

- The police ~~force~~ department of the City of Fernandina [Beach] ~~shall consist of~~ a chief of police and as many subordinate officers, ~~policemen/policewomen~~ and employees as the City Commission ~~shall by resolution determine~~ by ordinance. The chief of police ~~shall have~~ has exclusive control of the stationing and transfer of all ~~patrolmen and other~~ officers and employees constituting the police ~~force~~ department, subject to the approval of the City Manager and under such rules and regulations as the City Commission may prescribe or as may be prescribed by the ordinances of the City. In case of riot, conflagration or like emergency, the City Manager may appoint additional police personnel for temporary service. A referendum election is required prior to the City dissolving the police department of the City or contracting out law enforcement services to another agency.

Rationale – Section 41

- Clean up legalese
- Prohibits dissolution of police department solely by Commission vote
- Allows for emergency temporary appointments for additional police officers (repeats language already given to fire department)

Section 42, 43 – Reserved.

Current Language

- Sec. 42. – Reserved.
- Sec. 43. – Reserved.

Proposed Language

- No changes

Section 44 - Fire ~~force~~ department; composition; authority of chief.

Current Language

- The fire force of the city shall consist of a chief, who shall be fire warden, and as many subordinate officers, firefighter/rescue personnel and employees as the city commission shall, by ordinance, determine. The fire chief shall have exclusive control of the stationing and transfer of all firefighter/rescue personnel and other officers and employees of the fire force subject to such rules and regulations as may be prescribed by the city manager or by ordinance of the city; he shall have exclusive management and control of such officers and employees as may be employed in the administration of the affairs of his force. In case of riot, conflagration or like emergency, the city manager may appoint additional firefighter/rescue personnel for temporary service.

Proposed Language

- The fire ~~force~~ department of the City ~~shall~~ consists of a chief, ~~who shall be fire warden,~~ and as many subordinate officers, firefighter/rescue personnel and employees as the City Commission, ~~shall,~~ by ordinance, determines. The fire chief ~~shall have~~ has exclusive control of the stationing and transfer of all firefighter/rescue personnel and other officers and employees of the fire ~~force~~ department subject to such rules and regulations as may be prescribed by the City Manager or by ordinance of the City; ~~he shall have~~ the fire chief has exclusive management and control of such officers and employees as may be employed in the administration of the affairs of ~~his~~ the force. In case of riot, conflagration or like emergency, the City Manager may appoint additional firefighter/rescue personnel for temporary service. A referendum election is required prior to the City dissolving the fire department of the City or contracting out fire/rescue services to another agency.

Rationale – Section 44

- Clean up legalese
- Prohibits dissolution of fire department solely by Commission vote

Section 45 - ~~Public utilities.~~ Reserved.

Current Language

- The City of Fernandina Beach shall have the power to own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare. The City shall have the power to do all things necessary for the operation of the utilities, and the protection of the public health and safety and welfare.

Proposed Language

- ~~The City of Fernandina Beach shall have has the power to own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare. The City shall have the power to do all things necessary for the operation of the utilities, and the protection of the public health and safety and welfare.~~
- Delete and reserve.

Rationale – Section 45

- Move to Sec. 7 because that is where municipal powers are stated.

Section 46 – City Clerk ~~appointment; tenure of office; qualifications; and clerk pro tem.~~ Reserved

Current Language

- The City Commission shall appoint a City Clerk, who shall serve under the direction and supervision of the City Commission and shall hold office at the pleasure of the City Commission. The City Clerk shall be chosen on the basis of administrative qualifications. The City Commission shall establish an appropriate contract for the City Clerk, which shall contain the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Clerk, the City Commission shall designate a properly qualified person to temporarily execute the functions of the office.

Proposed Language

- ~~The City Commission shall must appoint a City Clerk, who shall serves under the direction and supervision of the City Commission and shall holds office at the pleasure of the City Commission. The City Clerk shall must be chosen on the basis of administrative qualifications. The City Clerk must be a member in good standing of a professional organization such as the Florida Association of City Clerks. The City Commission shall must establish an appropriate contract for the City Clerk, which shall contains the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Clerk, the City Commission shall designate a properly qualified person to temporarily execute the functions of the office.~~

Rationale – Section 46

- Delete and move to Sec. 47
- Reserve

Section 47 – City Clerk appointment and qualifications; powers and duties enumerated; and City Clerk pro tem.

Current Language

The City Clerk shall be responsible to the City Commission for proper administration of all affairs of the City assigned to the office of the City Clerk and to that end, the City Clerk's duties and powers shall be the following:

- a) Attend all meetings of the City Commission and keep a journal of its proceedings, the correctness of which proceedings as entered in such journal shall be certified to after each meeting by the signature of the City Clerk and by the signature of the presiding officer of the City Commission. Additionally, a journal shall be maintained of the proceedings of all boards and committees required by the City Commission;
- b) The City Clerk shall be the custodian of the seal of the City;
- c) Conduct municipal elections exercising authority not reserved to county constitutional officers; however all such authority and responsibility to conduct municipal elections, either special or general municipal elections, may be contracted out to the Nassau County Supervisor of Elections, as determined by the City Commission from time to time;
- d) Countersign all checks and review outgoing checks to determine compliance with the City's established Purchasing Policy and Procedures;
- e) Serve as legal custodian of all city records including but not limited to, all contracts, deeds, abstracts, title insurance policies and other official documents, and perform such other duties as may be required by ordinance or resolution of the City Commission, as well as such as may be required by City Clerks by the general law of the state, applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution passed by the City Commission;
- f) Authenticate all ordinances, resolutions and transcripts of legislative functions;
- g) Publish all public notices required by the City Commission or by law;
- h) Prepare all awards, proclamations, certificates and other formal Documentation by the City Commission;
- i) Notify the City Commission of all vacancies on boards or committees established by the City Commission;
- j) File all liens, satisfactions and releases as authorized by the City Manager;
- k) Serve as notary public on behalf of the City and attest all City documents as required;
- l) The direct employees of the City Clerk in the office of the City Clerk shall report to the City Clerk. The City Clerk shall have the authority to hire, direct, promote and terminate the employees in the City Clerk's office, notwithstanding Section 29(b) herein; and
- m) Any other duties as required by the City Commission.

Proposed Language

(a) The City Commission must appoint a City Clerk, who serves under the direction and supervision of the City Commission and holds office at the pleasure of the City Commission. The City Clerk must be chosen on the basis of administrative qualifications. The City Clerk must be a member in good standing of a professional organization such as the Florida Association of City Clerks. The City Commission must establish an appropriate contract for the City Clerk, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate.

(b) The City Clerk shall be is responsible to the City Commission for proper administration of all affairs of the City assigned to the office of the City Clerk and to that end, the City Clerk's duties and powers shall be are the following:

a) 1. Attend all meetings of the City Commission and keep a journal of its proceedings, the correctness of which proceedings as entered in such journal shall must be certified to after each meeting by the signature of the City Clerk and by the signature of the presiding officer of the City Commission. Additionally, a journal shall must be maintained of the proceedings of all boards and committees required by the City Commission;

b) 2. The City Clerk shall be is the custodian of the seal of the City;

c) 3. Conduct municipal elections exercising authority not reserved to county constitutional officers; however all such authority and responsibility to conduct municipal elections, either special or general municipal elections, may be contracted out to the Nassau County Supervisor of Elections, as determined by the City Commission from time to time;

d) 4. Countersign all checks and review outgoing checks to determine compliance with the City's established Purchasing Policy and Procedures;

e) 5. Serve as legal custodian of all City records including but not limited to, all contracts, deeds, abstracts, title insurance policies and other official documents. and perform such other duties as may be required by ordinance or resolution of the City Commission, as well as such as may be required by City Clerks by the general law of the state, applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution passed by the City Commission;

f) 6. Authenticate all ordinances, resolutions and transcripts of legislative functions;

g) 7. Publish all public notices required by the City Commission or by law;

h) 8. Prepare all awards, proclamations, certificates and other formal Documentation by the City Commission;

i) 9. Notify the City Commission of all vacancies on boards or committees established by the City Commission;

j) 10. File all liens, satisfactions and releases as authorized by the Mayor or City Manager;

k) 11. Serve as notary public on behalf of the City and attest all City documents as required;

l) 12. The direct employees of the City Clerk in the office of the City Clerk shall report to the City Clerk. The City Clerk shall have has the authority to hire, direct, promote and terminate the employees in the City Clerk's office, notwithstanding Section 29(b) herein; and

m) 13. Any other duties as required by the City Commission. Maintain City records of annexations and the official City boundaries, as they may be amended from time to time; and

(n) 14. For the purpose of serving during the absence or disability of the City Clerk, a City Clerk pro tem must be proposed for approval by the City Commission.

Rationale – Section 47

- Clean up legalese
- Require maintenance of city boundary map
- Add minimum qualifications for City Clerk

Section 48-57 – Reserved.

Current Language

- Sec. 48. – Reserved.
- Sec. 49. – Reserved.
- Sec. 50. – Reserved.
- Sec. 51. – Reserved.
- Sec. 52. – Reserved.
- Sec. 53. – Reserved.
- Sec. 54. – Reserved.
- Sec. 55. – Reserved.
- Sec. 56. – Reserved.
- Sec. 57. – Reserved.

Proposed Language

- No changes

Section 58 - Department of Finance established.

Current Language

- There shall be a department of Finance, which shall be headed by a City Comptroller, who shall be under the supervision of the City Manager. The City Comptroller shall be the custodian of all monies of the City and shall keep, preserve, invest and deposit all funds of whatever kind in a legally authorized manner in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the State of Florida and any established policies and procedures of the City.

Proposed Language

- There ~~shall be~~ is established a department of Finance, which ~~shall be~~ is headed by a City Comptroller, ~~who shall be~~ under the supervision of the City Manager. The City Comptroller must be a Certified Public Accountant (CPA) or have the same training and qualifications as a CPA. The Comptroller must be a member in good standing of the Florida Government Finance Officers Association within six (6) months of starting employment with the City. The City Comptroller ~~shall be~~ is the custodian of all ~~monies~~ funds of the City and ~~shall~~ keeps, preserves, reconciles, records, invests and deposits all funds of whatever kind in a legally authorized manner in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the State of Florida and any established policies and procedures of the City.

Rationale – Section 58

- Clean up legalese
- Adding minimum qualifications

Section 59 - ~~Bond~~. Liability Insurance.

Current Language.

- The city comptroller shall give a bond in the amount established by ordinance of the city commission from time to time.

Proposed Language

- The City Comptroller ~~shall give a bond in the amount established by ordinance of the city commission from time to time~~ must have insurance for professional liability to protect the City.

Rationale – Section 59

- Require liability insurance in accordance with current practice.

Section 60 - Collection of interest on investments or deposits.

Current Language

- All moneys due as interest upon investments or deposits shall be collected by the city comptroller and placed to the credit of the city, and any and all bonds and securities taken for investments and deposits shall be held by the city comptroller for safe keeping for the benefit of the city.

Proposed Language

- All moneys due as interest upon investments or deposits ~~shall be~~ is collected by the City Comptroller and placed to the credit of the City, and any and all bonds and securities taken for investments and deposits ~~shall be~~ are held by the City Comptroller for safe keeping for the benefit of the City. The Comptroller must propose sound, written investment policies which are approved by the City Commission.

Rationale – Section 60

- Clean up legalese
- Added duty to provide investment plan

Section 61 - ~~Collection of taxes, license fees and all moneys belonging to city.~~ Reserved.

Current Language

- The City Comptroller shall assure that all monies belonging to the City are properly recorded, reconciled and accounted for, including but not limited to taxes, licenses, revenue sharing, grants, special assessments, fines and income from all other sources in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the laws of the State of Florida.

Proposed Language

- ~~The City Comptroller shall assures that all monies belonging to the City are properly recorded, reconciled and accounted for, including but not limited to taxes, licenses, revenue sharing, grants, special assessments, fines and income from all other sources in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the laws of the State of Florida.~~
- Delete and reserve.

Rationale – Section 61

- Redundant, Section 58 covers the same

Section 62 - Payment of moneys; procedure.

Current Language

- The City Comptroller shall issue checks to be paid from city funds only in accordance with established procedures, which procedures shall be reviewed and approved by the City Manager and City Commission. The checks of the City may carry electronic signatures. In a declared emergency, the persons authorized to sign on behalf of the City shall be established by resolution.

Proposed Language

- The City Comptroller ~~shall~~ issues checks to be paid from City funds only in accordance with established procedures, which procedures ~~shall~~ must be reviewed and approved by the City Manager and City Commission. The checks of the City may carry electronic signatures. In a declared emergency, the persons authorized to sign on behalf of the City ~~shall~~ must be established by resolution.

Rationale – Section 62

- Clean up legalese

Section 63 - Reserved.

Current Language

- Sec. 63. - Reserved.

Proposed Language

- No changes

Section 64 - Financial report; submission to Commission monthly.

Current Language

- At a regular city commission meeting, the city comptroller shall submit to the city commission through the city manager, a detailed report of the financial status of the City funds. The city comptroller, or designee, shall also attend the meeting to provide the necessary interpretation of the submitted financial data or to respond to the financial questions generated by the commission.

Proposed Language

- At a regular City Commission meeting, the City Comptroller ~~shall~~ will submit monthly to the City Commission through the City Manager, a detailed report of the financial status of the City funds. The City Comptroller, or designee, ~~shall~~ will also attend the meeting to provide the necessary interpretation of the submitted financial data or to respond to the financial questions generated by the Commission. In addition, the City Comptroller must schedule an annual financial audit of accounts and records by an independent certified public accountant in accordance with state law.

Rationale – Section 64

- Clean up legalese
- Requiring report monthly, annual financial audit

Section 65, 66, 67, 68 – Reserved.

Current Language

- Sec. 65. – Reserved.
- Sec. 66. – Reserved.
- Sec. 67. – Reserved.
- Sec. 68. – Reserved.

Proposed Language

- No changes

Section 69 - ~~How constituted.~~ Reserved.

Current Language

- The city commission may at any time appoint a fact-finding or advisory board or boards, composed of men and women who are residents of the City of Fernandina Beach qualified to act in an advisory capacity to the city commission or the city manager, with respect to the conduct and management of any property or institutions or the exercises of any public functions of the city. The members of any such board shall serve without compensation for the time fixed in their appointment or at the pleasure of the commission, and their duties shall be to consult and advise with such municipal officers and make written recommendations, which shall become part of the records of the city.

Proposed Language

- ~~The City Commission may at any time appoint a fact-finding or advisory board or boards, composed of men and women who are residents of the City of Fernandina Beach qualified to act in an advisory capacity to the City Commission or the City Manager, with respect to the conduct and management of any property or institutions or the exercises of any public functions of the City. The members of any such board shall serve without compensation for the time fixed in their appointment or at the pleasure of the Commission, and their duties shall be are to consult and advise with such municipal officers and make written recommendations, which shall become part of the records of the City.~~
- Delete and reserve.

Rationale – Section 69

- Moved to Sec. 22

Section 70 - Reserved.

Current Language

- Sec. 70. - Reserved.

Proposed Language

- No changes

Section 71 - Annual estimate of expenditures and revenues for forthcoming year; submission to City Commission by City Manager.

Current Language

- The City Manager shall set forth an estimate of the expenditures and revenues of the city for the upcoming fiscal year. The estimate of expenditures and revenues shall be submitted in compliance with the procedures set forth in the laws of Florida. The estimates and budget so given and constituting the recommendation of the City Manager as to the amounts necessary to be appropriated for the ensuing fiscal year shall be supported with information giving the reasons therefore in such detail as may be necessary to afford the City Commission a comprehensive understanding of the needs and requirements of the various departments and divisions of the city government for the ensuing fiscal year.

Proposed Language

- (a) In accordance with Section 29(g), the City Manager shall sets forth an estimate of the expenditures and revenues of the City for the upcoming fiscal year. The estimate of expenditures and revenues must ~~shall~~ be submitted in compliance with the procedures set forth in the laws of Florida.
- (b) The estimates, and budget and 5-year capital improvement plan so given and ~~constituting the recommendation of the City Manager as to the amounts necessary to be appropriated for the ensuing fiscal year~~ shall ~~must~~ be supported with information giving the reasons therefore in such detail as may be necessary to afford the City Commission a comprehensive understanding of the needs and requirements of the various departments and divisions of the City government for the ensuing fiscal year.

Rationale – Section 71

- Clean up legalese
- Adds reference to Capital Improvement Plan

Section 72 - ~~Annual budget and appropriation.~~ Reserved.

Current Language

- The city commission shall abide by the laws of the State of Florida in the preparation, submission and publication of its annual budget and appropriation by ordinance or resolution.

Proposed Language

- ~~The City Commission shall abides by the laws of the State of Florida in the preparation, submission and publication of its annual budget and appropriation by ordinance or resolution.~~
- Delete and reserve.

Rationale – Section 72

- This is required under Florida Law and therefore redundant.

Section 73 - Reserved.

Current Language

- Sec. 73. - Reserved.

Proposed Language

- No changes

Section 74 - Transfer of funds.

Current Language

- Upon request of the city manager, the city commission may authorize a budget amendment or budget transfer by resolution. The city manager shall be authorized to transfer funds within the same department or division thereof in such maximum amounts as established by ordinance or resolution from time to time.

Proposed Language

- Upon request of the City Manager, the City Commission may authorize a budget amendment or budget transfer by resolution. The City Manager ~~shall be~~ is authorized to transfer funds within the same department or division thereof in such maximum amounts as established by ordinance or resolution from time to time; provided, however, this authorization does not extend to any funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund.

Rationale – Section 74

- Clean up legalese
- Prohibits conservation trust funds from being transferred.

Section 75 - Limitation on appropriations.

Current Language

- At the close of each fiscal year the unencumbered balance of each appropriation shall revert to the respective fund from which it was appropriated and shall be subject to future appropriation. Any accruing revenue of the city, not appropriated and hereinbefore provided, and any balance at any time remaining after the purpose of the appropriation shall have been satisfied or abandoned may from time to time be appropriated by the city commission to such use as will not conflict with any uses for which specifically such revenues accrued. No money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of the money be incurred, except pursuant to the appropriation made by the city commission.

Proposed Language

- At the close of each fiscal year the unencumbered balance of each appropriation ~~shall~~ reverts to the respective fund from which it was appropriated and ~~shall be~~ is subject to future appropriation. Any accruing revenue of the City, not appropriated and hereinbefore provided, and any balance at any time remaining after the purpose of the appropriation ~~shall have~~ has been satisfied or abandoned may from time to time be appropriated by the City Commission to such use as will not conflict with any uses for which specifically such revenues accrued. No money ~~shall~~ may be drawn from the treasury of the City, nor ~~shall~~ any obligation for the expenditure of the money be incurred, except pursuant to the appropriation made by the City Commission. No funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund may be appropriated for or applied to any expenditure for any purpose other than those set forth in the Fernandina Beach Land Conservation Program.

Rationale – Section 75

- Clean up legalese
- Restricts appropriations from conservation trust fund for conservation use only

Section 76, 77 - Reserved.

Current Language

- Sec. 76. - Reserved.
- Sec. 77. - Reserved.

Proposed Language

- No change

Section 78 - ~~Ad valorem taxes.~~ Reserved.

Current Language

- (1) Pursuant to Article VII, Sec. 9 of the State Constitution and the laws of the State of Florida, this municipality is hereby authorized, to levy ad valorem taxes on real and tangible personal property within the municipality.
- (2) The assessment and collection of municipal ad valorem taxes shall be performed by appropriate officers and in such manner as is prescribed by general law.
- (3) Pursuant to and in compliance with the laws of the State of Florida, the municipality may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.

Proposed Language

- ~~(1) Pursuant to Article VII, Sec. 9 of the State Constitution and the laws of the State of Florida, this municipality is hereby authorized, to levy ad valorem taxes on real and tangible personal property within the municipality.~~
- ~~(2) The assessment and collection of municipal ad valorem taxes shall will be performed by appropriate officers and in such manner as is prescribed by general law.~~
- ~~(3) Pursuant to and in compliance with the laws of the State of Florida, the municipality may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.~~

Delete and reserve.

Rationale – Section 78

- (1) and (2) are authorized under Florida law and therefore redundant
- (3) is incorporated into Sec. 79

Section 79 - ~~Regulatory~~ Fees.

Current Language

- Pursuant to the laws of the State of Florida, this municipality may levy reasonable business, professional, and occupational regulatory fees commensurate with the cost of the regulatory activity, including consumer protection, on such classes of businesses, professions, and occupations, the regulation of which has not been preempted by the state or a county pursuant to a county charter.

Proposed Language

(a) Pursuant to the laws of the State of Florida, ~~this municipality~~ the City may levy reasonable business, professional, and occupational regulatory fees commensurate with the cost of the regulatory activity, including consumer protection, on such classes of businesses, professions, and occupations, the regulation of which has not been preempted by the state or a county pursuant to a county charter.

(b) Pursuant to and in compliance with the laws of the State of Florida, the City may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.

Rationale – Section 79

- Incorporates former Section 78 (3) for relevancy.
- Clean up legalese.

Section 80 - Reserved.

Current Language

- Sec. 80. – Reserved.

Proposed Language

- No changes

Section 81 – Comptroller Certification of funds for contracts, obligations, etc.

Current Language

- No contract, agreement, or other obligation involving the expenditure of money shall be entered into, nor shall any ordinance, resolution or order for the expenditure of money be passed by the city commission or be authorized by any officer of the city, unless the comptroller first certifies to the city commission or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation or expenditure is in the treasury to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose. The sum so certified shall hereafter be considered appropriated until the city is discharged from the contract, agreement or obligation.

Proposed Language

- ~~No contract, agreement, or other obligation involving the expenditure of money shall may be entered into, nor shall any ordinance, resolution or order for the expenditure of money be passed by the City Commission or be authorized by any officer of the City, unless the Comptroller first certifies to the City Commission or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation or expenditure is in the treasury to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose. The sum so certified shall hereafter will be considered appropriated until the City is discharged from the contract, agreement or obligation.~~
- The Comptroller must certify to the City and the City Commission that money to be expended for an obligation, such as a contract, is contained in the City account from which it is to be drawn and not appropriated for any other purpose prior to any action being taken by the City Commission or any City employee that commits the City to incur the obligation.

Rationale – Section 81

- Clean up legalese

Section 82—107 - Reserved.

Current Language

- Secs. 82—107. - Reserved.

Proposed Language

- No changes

Section 107A. - ~~Community redevelopment areas.~~ Reserved.

Current Language

- The City of Fernandina Beach is prohibited from creating any more than two non-contiguous, community redevelopment areas (CRA), pursuant to F.S. ch. 163, part III. The City of Fernandina Beach is prohibited from creating any such CRA wherein the assessed value for ad valorem tax purposes of the real property contained within such CRA would exceed two percent (2%) of the total assessed value of all real property in the city at the time of creation of such CRA.

Proposed Language

- ~~The City of Fernandina Beach is prohibited from creating any more than two non-contiguous, community redevelopment areas (CRA), pursuant to F.S. ch. 163, part III. The City of Fernandina Beach is prohibited from creating any such CRA wherein the assessed value for ad valorem tax purposes of the real property contained within such CRA would exceed two percent (2%) of the total assessed value of all real property in the city at the time of creation of such CRA.~~
- Delete and reserve.

Rationale – Section 107A

- Remove restriction on potential funding mechanism for improvements

Sections 108—119 - Reserved.

Current Language

- Secs. 108—119. - Reserved.

Proposed Language

- No changes

Section 120 - ~~Salaries and compensation.~~

Reserved.

Current Language

- The city commission shall fix, by ordinance, the salary or compensation of the city attorney, the department heads, the city manager and the city commission. The city manager shall fix the number and compensation of all other officers and employees. The salaries or compensation so fixed shall be uniform for like services in each grade of the city service, as the same shall be graded or classified by the city manager, and approved by the city commission. All such salaries and rates of pay, with dates of employment and discharge, shall be immediately reported to the city clerk. All fees and moneys received or collected by officers and employees shall be immediately paid over to the city comptroller on the date of their receipt.

Proposed Language

- ~~The City Commission shall fix, by ordinance, the salary or compensation of the City Attorney, the department heads, the City Manager, City Clerk, and the city commission. The city manager shall fix the number and compensation of all other officers and employees. The salaries or compensation so fixed shall must be uniform for like services in each grade of the city service, as the same shall will be graded or classified by the City Manager, and approved by the City Commission. All such salaries and rates of pay, with dates of employment and discharge, shall must be immediately reported to the City Clerk. All fees and moneys received or collected by officers and employees shall must be immediately paid over to the city Comptroller on the date of their receipt.~~
- Delete and reserve.

Rationale – Section 120

- 1st sentence deleted for redundancy
- Moved to Sec. 30 for relevancy

Section 121 - Oath of office.

Current Language

- Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city clerk, which oath shall be in the form prescribed for state officers by the Constitution of the State.

Proposed Language

- Every officer and employee of the City shall must, before entering upon the duties of his office- employment or office, take and subscribe to an oath or affirmation to be filed and kept in the office of the City Clerk, which oath must be in compliance with state law and at a minimum be in the following form:

"I, , a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of Fernandina Beach and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitutions of the United States and of the State of Florida, and I will in all respects observe and implement the laws of the State of Florida and the laws and policies of the City of Fernandina Beach, including without limitation, the City's Comprehensive Plan and the standards of conduct prescribed by the Florida Code of Ethics for Public Officers and Employees. I further promise to fairly and honestly use my position to support the best interests of the citizens of Fernandina Beach."

Rationale – Section 121

- Clean up legalese
- Includes revised oath of office to include state law requirements, ethics language, and City's Comprehensive Plan

Section 122 - ~~Official bonds.~~ Reserved.

Current Language

- The city commission or city manager, in fixing the salary of any officer, clerk or employee shall determine whether or not such officer, clerk or employee shall give bond, and the amount thereof, which bond shall be procured from a regularly accredited surety company authorized to do business under the laws of Florida, the premiums on such bonds to be paid by the city. All such bonds shall be filed in the office of the city clerk.

Proposed Language

- ~~The City Commission or City Manager, in fixing the salary of any officer, clerk or employee shall determines whether or not such officer, clerk or employee shall may give bond, and the amount thereof, which bond shall must be procured from a regularly accredited surety company authorized to do business under the laws of Florida, the premiums on such bonds to be paid by the city. All such bonds shall must be filed in the office of the City Clerk.~~
- Delete and ~~reserve.~~

Rationale – Section 122

- Redundant to Sec. 59

Sections 123, 123A, 124 – Reserved.

Current Language

- Sec. 123. – Reserved.
- Sec. 123A. – Reserved.
- Sec. 124. – Reserved.

Proposed Language

- No changes

Section 125 - ~~Election arrangements; declaration of election results; appointment of inspectors.~~ Reserved.

Current Language

- The city commission shall make all necessary arrangements for holding all municipal elections, and shall declare the result thereof. Inspectors, poll workers and clerks of election shall be appointed by the city commission except that if the commission shall fail to appoint them at least seven (7) days before the date of any election, the mayor may appoint them. In case of emergency, the mayor has the authority to appoint inspectors, poll workers and clerks of election.

Proposed Language

- ~~The City Commission shall makes all necessary arrangements for holding all municipal elections, and shall declares the result thereof. Inspectors, poll workers and clerks of election shall be are appointed by the city commission except that if the commission shall fails to appoint them at least seven (7) days before the date of any election, the mayor may appoint them. In case of emergency, the mayor has the authority to appoint inspectors, poll workers and clerks of election.~~
- Delete and reserve.

Rationale – Section 125

- This process is done through the Nassau County Supervisor of Elections in conjunction with the City Clerk's office as covered by Sec. 47(c).

Sections 125A. - 135 - Reserved.

Current Language

- Secs. 125A—135. - Reserved.

Proposed Language

- No changes

Section 136 - Administrative investigations.

Current Language

- The city commission shall authorize investigations by resolution. The city commission shall have the power at any time to cause the affairs of any department or the conduct of any officer or employee to be investigated; and for such purpose shall have power to compel the attendance of witnesses and the production of books, papers, and other evidence; and for that purpose may issue subpoenas or attachments which shall be signed by the mayor or the city manager and shall be served by any officer authorized by law to serve such process. The authority making such investigation shall have power to cause the testimony to be given under oath, such oath to be administered by some officer having authority under the law of the state to administer oaths; and shall also have power to punish as for contempt any person refusing to testify to any fact within his knowledge, or produce any book or papers under his control relating to the matter under investigation. Nothing in this section should be construed to limit the charter officers' ability to inquire into matters under their respective areas of responsibility.

Proposed Language

- (a) The City Commission ~~shall~~ may by majority vote authorize investigations by resolution. The City Commission, Charter Officers and members of City Commission appointed boards, shall have the power at any time to cause the affairs of any department or the conduct of any officer or employee to be investigated, ~~and~~. For such purpose each shall have ~~has the~~ power to compel the attendance of witnesses, and the production of books, papers, and other evidence; and ~~for that purpose~~ may issue subpoenas or attachments which ~~shall~~ must be signed by the Mayor or the City Manager and ~~shall~~ must be served by any officer authorized by law to serve such process.
- (b) The authority making such investigation ~~shall have~~ has the power to cause the testimony to be given under oath, such oath to be administered by some officer having authority under the law of the state to administer oaths; ~~and shall also have~~. The authority has the power to punish as for contempt any person refusing to testify to any fact within ~~his~~ their knowledge, or produce any book or papers under ~~his~~ their control relating to the matter under investigation.
- (c) Nothing in this section should be construed to limit the Charter Officers' ability to inquire into matters under their respective areas of responsibility.

Rationale – Section 136

- Clean up legalese
- Allowing Charter Officers and advisory boards administrative investigatory powers
- Clarifying that investigations require a majority vote by the Commission

Section 137 - Dedication of streets.

Current Language

- No street or alley hereinafter dedicated to public use by the owner of any land within the city shall be deemed a public street or alley, under the care or control of the city, unless the dedication be accepted and confirmed by ordinance passed for such purpose.

Proposed Language

- No street or alley hereinafter dedicated to public use by the owner of any land within the City ~~shall~~ will be deemed a public street or alley, under the care or control of the City, unless the dedication be accepted and confirmed by ordinance or resolution passed for such purpose.

Rationale – Section 137

- Clean up legalese

Sections 138-140- Reserved.

Current Language

- Secs. 138—140. - Reserved.

Proposed Language

- No changes

Section 141 - ~~General laws of state to apply.~~ Initiatives. (1 of 2)

Current Language

- All general laws of the state applicable to municipal corporations, now or which may hereafter be enacted, and which are not in conflict with the provisions of this Charter or with the ordinances and resolutions hereafter enacted by the city commission, shall be applicable to this city; provided, however, that nothing contained in this Charter shall be construed as limiting the power of the city commission to enact any ordinance or resolution not in conflict with the constitution of the state or with the express provisions of this Charter.

Proposed Language

- ~~All general laws of the state applicable to municipal corporations, now or which may hereafter be enacted, and which are not in conflict with the provisions of this Charter or with the ordinances and resolutions hereafter enacted by the city commission, shall be applicable to this city; provided, however, that nothing contained in this Charter shall be construed as limiting the power of the city commission to enact any ordinance or resolution not in conflict with the constitution of the state or with the express provisions of this Charter.~~
 - (a) Power to propose initiatives. The registered voters of the City have the power to propose ordinances (which can include amending existing ordinances) to the City Commission provided that such power does not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees. If the City Commission fails to adopt the proposed ordinance without any change in substance, the voters have the power to adopt or reject it at a City election.
 - (b) Commencement of proceedings. Any five (5) registered voters may commence an initiative proceeding by filing an affidavit with the City Clerk stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance to be voted upon. Promptly after the affidavit of the petitioners' committee is filed, the City Clerk will, at the committee's request and expense, issue the appropriate petition blanks to the petitioners' committee.
 - (c) Petitions.
 - (1) Number of signatures. Initiative petitions must be signed by registered voters of the City equal in number to at least ten (10) percent of the total number of qualified voters registered to vote in the last regular City election.
 - (2) Form and content. All papers of a petition must be uniform in size and style and assembled as one instrument for filing. Each signature must be executed by hand in ink or indelible pencil and shall be followed by the address of the person signing. Petitions must contain or have attached thereto throughout their circulation, the full text of the ordinance being proposed.
 - (3) Affidavit of circulator. When filed, each paper of a petition must have attached to it an affidavit executed by its circulator stating that the circulator personally circulated the paper, giving the number of signatures thereon, and stating that all the signatures were affixed in the circulator's presence, that the circulator believes them to be genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance being proposed.

Section 141 - ~~General laws of state to apply.~~ Initiatives. (2 of 3)

Current Language.

Proposed Language.

(d) Procedure after filing.

(1) Certificate of City Clerk; amendment. Within twenty (20) days after the petition is filed, the City Clerk will complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and promptly send a copy of the certificate to the petitioners' committee by registered mail. The only grounds for insufficiency are failure to comply with subsection (c) of this section. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the City Clerk within two (2) days after receiving the copy of the City Clerk's certificate and files a supplementary petition with additional signatures within ten (10) days after receiving the copy of such certificate. The supplementary petition must comply with the requirements of paragraphs (2) and (3) of subsection (c) above and within five (5) days after it is filed, the City Clerk will complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request City Commission review under paragraph (2) below within the time required, the City Clerk will promptly present their certificate to the City Commission and the certificate will then be a final determination as to the sufficiency of the petition. The City Clerk will be paid by the petitioners' committee any amount charged by the Nassau County Supervisor of Elections for verification of the names on the petition.

(2) Commission review. If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the City Commission. The City Commission will review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the City Commission's determination is then the final determination as to the sufficiency of the petition.

(3) Court review; new petition. A final determination as to the sufficiency of a petition will be subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose.

Section 141 - ~~General laws of state to apply.~~ Initiatives. (3 of 3)

Current Language.

Proposed Language.

(e) Action on petitions.

- (1) Action by Commission. When an initiative petition has been finally determined sufficient, the City Commission will promptly consider the proposed initiative ordinance. If the City Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days after the date the petition was determined sufficient, the Commission will submit the proposed ordinance to the voters of the City.
- (2) Submission to voters. The vote by the electorate of a proposed ordinance will be held at the next regular City election, but not less than ninety (90) days from the date that the petition was determined sufficient. The City Commission in its discretion may provide for a special election at an earlier date than the next regular election provided that the date of the special election is at least ninety (90) days after the date that the petition was determined sufficient. Copies of the proposed ordinance will be made available at the polls.
- (3) Withdrawal of petitions. An initiative petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the City by filing with the City Clerk a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon the filing of such request, the petition has no further force or effect and all proceedings thereon are terminated.

(f) Results of election. If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, the ordinance is considered adopted upon certification of the election results and will be treated in all respects in the same manner as ordinances of the same kind adopted by the City Commission; provided, however, that the same shall not be amended or repealed except by a vote of a supermajority of the Commission. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Rationale – Section 141

- Original language moved to Sec. 7b.
- Allows for citizens to petition for new ordinances (direct democracy provision)

Section 142 – ~~Reserved~~ Charter amendment and review.

Current Language

- Sec. 142. – Reserved.

Proposed Language.

- (a) This Charter may be amended by either (1) ordinance proposed and adopted by the City Commission or (2) petition proposed and signed by at least 10 percent of the total number of qualified voters registered to vote in the last regular City election; in each case, in accordance with Florida Statute 166.031
- (b) Beginning in 2027, and at least once every eight (8) years thereafter, the City Commission must appoint a Charter Review Committee, of not less than seven (7) members from the City electors to review the City Charter and propose to the City Commission any amendments or revisions, which may be advisable for placement on the election ballot. The City Attorney is responsible for supporting such committee with staff and legal advice.

Rationale – Section 142

- Clarifies for citizens how the Charter can be amended
- Requires regular review of Charter with the City Attorney responsible for overseeing the process

Section 143 - Savings clause.

Current Language

- If any section or part of a section of this Charter proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force, or effect of any other section or part of a section of this Charter, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

Proposed Language

- If any section or part of a section of this Charter proves to be invalid or unconstitutional, the same ~~shall not be held to~~ does not invalidate or impair the validity, force, or effect of any other section or part of a section of this Charter, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

Rationale – Section 143

- Clean up legalese

Section 144 - When this Charter becomes effective.

Current Language

- The foregoing sections of this Charter shall take effect upon their ratification by a majority vote of the qualified electors of the said City of Fernandina Beach voting at a special election to be held in the City of Fernandina Beach

Proposed Language

- The foregoing sections of this Charter shall take effect upon their ratification by a majority vote of the qualified electors of the ~~said~~ City of Fernandina Beach voting at a special or general election to be held in the City of Fernandina Beach.

Rationale – Section 144

- Clean up legalese

Charter "Clean" Version

AS OF November 4, 2020

Section 1. Creation.

The City of Fernandina was first established in 1825, then later abolished and reincorporated in 1921 by the Florida Legislature. The Town of Fernandina Beach was established in 1949 by the Florida Legislature. The City of Fernandina and the Town of Fernandina Beach were consolidated as the City of Fernandina Beach on January 1, 1952 after referendum approval by voters.

Section 2. Reserved.

Section 3. Reserved.

Section 4. Reserved.

Section 5. Reserved.

Section 6. Boundaries.

That the following is the territory the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipality exercises its jurisdiction and powers in accordance with state law and City ordinances, to wit:

(a) *Original boundaries of the City.* Beginning at a point where the range line between Range Twenty-eight (28) East, and Range Twenty-nine (29) East intersects the southerly boundary of Egan's Creek; thence north, along the said range line, to a point on the low water mark of Cumberland Sound; thence easterly, along the said low water mark of Cumberland Sound, to a point on the low water mark of the Atlantic Ocean; thence southerly, along the said low water mark of the Atlantic Ocean, to a point on the southerly boundary of Section Ten (10), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty-nine degrees fifty-five minutes west (S89°55'W), along the southerly boundary of said Section Ten (10), a distance of five hundred eighty-three (583.0) feet, more or less, to a point at the southwest corner of said Section Ten (10), thence north seven degrees twenty-four minutes east (N7°24'E), along the westerly line of said Section Ten (10), a distance of one thousand seven hundred twenty-eight and three-tenths (1728.3) feet to a point at the northwest corner of said Section Ten (10) and on the south line of Section Eight (8), Township Two (2) North, Range Twenty-eight (28) East, said point being south eighty-five degrees fifty-three minutes west (S85°53'W) a distance of two hundred fifty and fourteen hundredths (250.14) feet from the southeast corner of said Section Eight (8); thence south eighty-five degrees fifty-three minutes west (S85°53'W), along the south line of said Section Eight (8), a distance of one thousand seventy-nine and six-tenths (1079.6) feet to a point; thence south eight degrees eighteen minutes west (S8°18'W) a distance of three thousand one hundred sixty-nine and eighty-eight hundredths (3169.88) feet to a point on the south line of Section Eleven (11), Township Two (2) North, Range Twenty-eight (28) East; thence south eighty degrees twenty-four minutes west (S80°24'W), along the south line of said Section Eleven (11), a distance of five thousand two hundred thirty-eight (5238.0) feet, more or less, to

a point at the southwest corner of said Section Eleven (11); thence in a northerly direction, along the west line of said Section Eleven (11) and the west line of Government Lots Four (4) and Three (3) in Section Six (6), Township Two (2) North, Range Twenty-eight (28) East, a distance of ten thousand seven hundred fifty (10,750.0) feet, more or less, to a point on the north line of said Section Six (6), said point being the southwest corner of Lot Sixty-six (66) of Ocean Breeze Farms Subdivision as recorded in Plat Book Two (2) at page nineteen (19) of the public records of said Nassau County, Florida; thence south eighty-eight degrees twenty-three minutes east ($S88^{\circ}23'E$), along the north line of said Section Six (6), a distance of four hundred nineteen and six-tenths (419.6) feet to a point at the southwest corner of Lot Ninety-nine (99); thence north one degree thirty-seven minutes east ($N1^{\circ}37'E$), along the west line of Lots Ninety-nine (99) and Sixty-five (65), a distance of five hundred eleven and five-tenths (511.5) feet to a point at the northwest corner of said Lot Sixty-five (65); thence south eighty-eight degrees twenty-three minutes east ($S88^{\circ}23'E$), along the north line of Lots Sixty-five (65) and Fifty-two (52), a distance of one thousand three hundred twenty (1320.0) feet to a point at the northeast corner of said Lot Fifty-two (52); thence south one degree thirty-seven minutes west ($S1^{\circ}37'W$), along the east line of Lots Fifty-two (52) and one hundred (100), a distance of five hundred eleven and five-tenths (511.5) feet to a point on the north line of said Section Six (6); thence south eighty-eight degrees twenty-three minutes east ($S88^{\circ}23'E$), along the north line of Sections Six (6) and Seven (7), Township Two (2) North, Range Twenty-eight (28) East, a distance of three thousand ninety-nine and twenty-seven hundredths (3099.27) feet to a point in the center of the south line of Lot One hundred five (105) of Ocean Breeze Farms Subdivision as recorded in Plat Book "O" at page fifty-nine (59) of the public records of said Nassau County, Florida; thence north one degree fifty-four minutes east ($N1^{\circ}54'E$), along the center line of Lot One hundred five (105) and Lot Six (6), a distance of three hundred forty-six and five-tenths (346.5) feet to a point in the center of said Lot Six (6); thence south eighty-eight degrees twenty-three minutes east ($S88^{\circ}23'E$) a distance of three hundred three and twenty-five hundredths (303.25) feet to a point at the center of the west line of Lot Seven (7); thence north one degree thirty-seven minutes east ($N1^{\circ}37'E$), along the west line of Lots Seven (7) and Eight (8), a distance of four hundred ninety-five (495.0) feet to a point at the northwest corner of said Lot Eight (8); thence south eighty-eight degrees twenty-three minutes east ($S88^{\circ}23'E$), along the north line of Lots Eight (8), Nineteen (19), and Twenty-one (21), a distance of one thousand seven hundred ninety (1790.0) feet to a point at the northeast corner of said Lot Twenty-one (21); thence south three degrees eighteen minutes east ($S3^{\circ}18'E$), along the east Lot Twenty-one (21), a distance of seven hundred forty-nine and eleven hundredths (749.11) feet to a point on the north line of said Section Eight (8); thence north eighty-five degrees fifty-three minutes east ($N85^{\circ}53'E$) along the north line of said Section Eight (8), a distance of one thousand six hundred nine and six-tenths (1609.6) feet to a point at the northeast corner of said Section Eight (8); thence northerly, in a straight line through Sections Two (2) and One (1), Township Two (2) North, Range Twenty-eight (28) East, to a point at the northwest corner of Section Six (6), Township Two (2) North, Range Twenty-nine (29) East; thence northerly, along the range line between Ranges Twenty-eight (28) and Twenty-nine (29) East, Township Three (3) North, to a point at the northeast corner of Citrona Lot Twenty-eight (28), according to the official plat of the City of Fernandina Beach (formerly named Fernandina) 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; thence north eighty-two degrees twenty-eight minutes west (N82°28'W), along the prolongation of the southerly right-of-way line of Lime Street (60'R/W), to the low water mark of Amelia River; thence northerly, along the low water mark of Amelia River, to a point at the mouth of Egan's Creek; thence easterly, along the southerly boundary of Egan's Creek to the point of beginning.

(b) *Additions to City Boundaries.* Pursuant to Florida law, the City is permitted to annex additional properties in accordance with procedures established by state and local laws. The current boundary records are kept in the City Clerk's Office and are available for view upon request.

Section 7. Powers of City generally.

- (a) The City of Fernandina Beach has full power and authority to:
 - (1) Acquire, take, hold, control and dispose of property, real, personal and mixed, both within and without its corporate limits, for the use, benefit, welfare and best interest of the municipality, by acquisition, condemnation or otherwise;
 - (2) Issue and sell bonds upon its property both within and without its corporate limits, or the earnings thereof, or both;
 - (3) Adopt and enforce local police, sanitary and other similar regulations not in conflict with the laws of the state;
 - (4) Do whatever is necessary and proper for the safety, health, convenience and general welfare of its inhabitants;
 - (5) Exercise all other powers of local self-government; and
 - (6) Own and operate all utilities, both within its boundaries, and outside its boundaries, in order to serve the public health, safety and welfare.
- (b) The enumeration of particular powers by this Charter are not exclusive, but are some of the municipal home rule powers provided for by the Florida State Constitution and Laws of Florida, and there are other governmental, corporate and proprietary powers not enumerated in this Charter which may be exercised by the City to conduct municipal government, perform municipal functions and render municipal services (as set forth in Section 166.021, Fla. Stats.).

Section 8. Commission-manager plan (form) of government.

The form of government of the City of Fernandina Beach provided for under this Act is known as the "Commission-Manager Plan," and the Commission consists of five (5) citizens, who are elected at large in the manner provided in this Charter. The Commission constitutes the governing body with powers to pass ordinances, adopt resolutions and appoint a chief administrative officer to be known as the "City Manager," and to exercise all other powers provided in this Charter and under Florida law.

Section 9. Created; election by seats, number; term.

The City Commission prescribes the conduct, method, dates and manner of holding elections by ordinance. In matters on which the conduct of municipal elections can vary from the conduct of state elections, the City Commission may, by ordinance, adopt rules specific to municipal elections. All City elections are non-partisan.

- (a) There is hereby created a City Commission of the City of Fernandina Beach to consist of five (5) seats, elected at large by the qualified voters of the City of Fernandina Beach. The designation of seats is not used or construed to divide the City into Commission districts for purposes of qualification, election, or representation.
- (b) Members serve for a term of four (4) years or until their successors have been elected and take office. Seats 1, 2, and 3 were elected in 2020. Seats 4 and 5 were elected in 2018. Thereafter, all seats are elected every four (4) years for a term of four (4) years.
- (c) If there are no more than two (2) qualified candidates seeking the same seat, then the election for that seat will be held at the general election in conjunction with county, state, and federal elections. If there are more than two (2) qualified candidates seeking the same seat, then an initial election for that seat will be held at the primary election in conjunction with county, state and federal elections (the "Initial Election"). The two (2) candidates at the Initial Election who receive the highest number of votes for a seat will advance with the election for that seat to be held at the general election in conjunction with county, state, and federal elections. For each seat, the candidate receiving the majority vote in the general election is elected for that seat. No candidates can qualify for more than one (1) seat in any initial election or general election in any election year.
- (d) City initial and general elections are held every two (2) years in even numbered years and in conjunction with county, state and federal elections. The City Commission has the authority to call for special elections at any time on dates other than the City initial and general elections.

Section 10. Powers generally; dealing with administrative service through Charter Officers required; penalties for violations.

- (a) The Mayor and Commissioners must not, in any manner, dictate the appointment or removal of any City officers or employees whom a Charter Officer or any of the Charter Officer's subordinates are empowered to appoint, evaluate and supervise. City Commissioners must each complete an annual performance evaluation for each Charter Officer.
- (b) The Mayor and Commissioners deal with administrative service through the respective Charter Officer. The Mayor and Commissioners must not directly interfere with or direct the conduct of any employee in the discharge of prescribed duties. However, with the express permission of the respective Charter Officer, the Mayor and Commissioners may communicate directly with an employee.
- (c) Any violation of the provisions of this section by any member of the City Commission is, upon first offense, grounds for recognition and discussion by the Commission of the violation, any second offense within a Commissioner's term is grounds for sanction by the City Commission, and a third offense within the same Commissioner's term is grounds for forfeiture of the Commission seat by the offending Commissioner. Prior to forfeiture of a Commission seat, any Commissioner accused of violating this Section is entitled to a public hearing

conducted in accordance with the City's rules of procedure for quasi-judicial hearings as adopted by ordinance.

(d) Investigations or inquiries are conducted pursuant to Section 136 of this Charter.

Section 10A. Referendum required for sale of City-owned recreational facilities and no sale of conservation land.

- (a) A referendum election is required prior to the sale or lease for a period of more than 40 years of "recreational facilities" such as golf courses, swimming pools, and parks.
- (b) For a referendum election under this Section 10A, the City Commission must first adopt an ordinance by unanimous vote of the Commission to put a sale or lease of recreational facilities on a ballot for the voters, and the referendum must then pass by 70% of the voters in that referendum election.
- (c) "Conservation lands", including City-owned lands protected by conservation easements, must not be leased or sold by the City and are held by the City for the benefit of the public in perpetuity.
- (d) "Recreational facilities" and "conservation lands" are each defined in the City's Comprehensive Plan and generally mean lands or places with a Recreation or Conservation designation, respectively, on the City's Future Land Use Map of the City's Comprehensive Plan. Conservation lands may also include lands owned or leased by the City and protected by conservation easements.

Section 10B. Reserved.

Section 11. Qualifications of members; holding of more than one office not permitted; interest in profits of City contracts prohibited; filling vacancies.

- (a) The Commission is the judge of the election and qualification of its own members, subject to review by the courts. Members of the City Commission must be residents of the City and have the qualifications of electors. Officers and employees of the City may not hold more than one office in the City government of the City of Fernandina Beach, and must not be interested in the profits or emoluments of any contract work or service for the municipality, and any such contract in which any member is, or may become, interested must be declared void by the City Commission. City Commissioners are "public officers" under Ch. 112, Florida Statutes (Code of Ethics for Public Officers and Employees) and must abide by all of the ethical standards set forth in these statutes.
- (b) Any member of the City Commission ceasing to possess the foregoing qualifications, including violations of Ch. 112, Florida Statutes (state Code of Ethics), or who has been convicted of a felony is automatically suspended from office until the City Commission conducts a public hearing and issues a ruling regarding forfeiture of the Commissioner's seat. The public hearing must be conducted within ten (10) calendar days of a verified, written complaint or request for hearing submitted to the City Attorney. In addition, any member of the City Commission who misses three (3) regular meetings in a calendar year is automatically suspended from office until the City Commission conducts a hearing as set forth herein and issues a ruling regarding forfeiture of the Commissioner's seat. A hearing conducted pursuant to this Section must be conducted in accordance with the City's rules of procedure for quasi-judicial hearings, as adopted by resolution or ordinance.
- (c) Any vacancy in the City Commission must be filled until the next regular municipal election by vote of the remaining members of the City Commission; provided, that if such vacancy is not filled within thirty (30) days after it has occurred, appointment to fill the existing vacancy will be made by the Governor. Vacancies resulting from a recall election shall be filled as required by state law.

Section 12. Salary of members.

The Mayor and City Commissioners receive a salary as established by appropriate City ordinance.

Section 13. Limitation on successive terms in office.

The City Commissioners are limited to two (2) successive terms in office. No person is qualified for election or appointment to a vacancy upon the City Commission of the City of Fernandina Beach, Florida, unless at least three (3) years have elapsed since such person last held such office, if at that time such person completed two (2) successive and full terms.

Section 14. Reserved.**Section 15. Reserved.****Section 16. Mayor – When elected; procedure; term.**

- (a) The Mayor of the City will be elected by the voters by placement on the ballot as authorized in subsection (b) below and by receiving the highest number of votes for Mayor with such election to be held in conjunction with the regular election held for the purpose of electing City Commissioners.
- (b) Candidates for the mayoral election must consist of incumbent Commissioners who are not subject to reelection to the City Commission at that same election. Any eligible candidate wishing to be considered for the position of Mayor must request in writing, no later than the City Commission's deadline for qualifying for running for City Commission in the City general election, to be placed on the ballot.
- (c) The mayoral candidate on the ballot with the second highest number of votes in the mayoral election must be appointed to the Vice-Mayor position.
- (d) On the occasion that only one incumbent City Commissioner should choose to be on the mayoral ballot, there is no need for the mayoral election, and the one mayoral candidate must be appointed to the position of Mayor at the City Commission's annual organizational meeting. The City Commission may choose any City Commissioner not appointed as the Mayor to be the Vice-Mayor, including newly-elected Commissioners. If no incumbent City Commissioner chooses to be on the mayoral ballot, the City Commission must vote to appoint one of the Commissioners to serve as Mayor and one Commissioner to serve as Vice-Mayor, and newly-elected Commissioners may be considered.
- (e) The Mayor and Vice-Mayor each serve a term of two (2) years to coincide with the municipal general election.
- (f) The existing Mayor and Vice-Mayor will serve until the organizational meeting following the next regular general election held by the City.

Section 17. Functions and powers of the Mayor.

The powers and duties of the Mayor are set forth in this Charter.

- (a) The Mayor has a voice and a vote in the proceedings of the Commission but no veto power;
- (b) The Mayor does not exercise any administrative power, unless specifically set forth in this Charter;
- (c) The Mayor presides at all meetings of the Commission and performs such other duties consistent with the office, including but not limited to ensuring that every Commissioner completes an annual performance evaluation for each Charter Officer. The Mayor may use the title of Mayor in the execution of legal instruments or when required by the general or special laws of the state; and

- (d) The Mayor is the official head of the City for the purpose of serving civil processes and for all ceremonial purposes.

Section 18. Reserved.

Section 19. Reserved.

Section 20. Reserved.

Section 21. Adoption and enactment of municipal ordinances and resolutions; quorum for City Commission.

- (a) The adoption of ordinances and resolutions must be in compliance with Section 166.041, Florida Statutes, or such other section in Florida Statutes pertaining to the adoption of municipal ordinances or resolutions, as the same may be amended from time to time.
- (b) A majority of the members of the City Commission constitutes a quorum. Except as otherwise required by this Charter, an affirmative vote of at least three City Commissioners is necessary to enact any ordinance or resolution. A supermajority of the City Commission is required to enact an emergency ordinance. In case of a serious medical condition, as provided by Florida law, a Commissioner may be permitted to vote in real time by communication media technology instead of being physically present. On final passage, the vote of each member of the City Commission voting must be entered on the official record of the meeting. All ordinances or resolutions passed by the City Commission become effective ten (10) days after passage or as otherwise provided therein.
- (c) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and must be signed by the presiding officer and the City Clerk.

Section 22. Boards

The City Commission may at any time appoint an advisory board or committee, on a standing or ad hoc basis, composed of residents of the City of Fernandina Beach qualified to act in an advisory capacity to the City Commission or the City Manager, with respect to the conduct and management of any property or institutions or the exercises of any public functions of the City. The members of any such board or committee serve without compensation for the time fixed in their appointment or at the pleasure of the Commission, and their duties are to consult and advise with municipal officers and make written recommendations, which then become part of the records of the City.

Section 23. Reserved.

Section 24. Reserved.

Section 25. City Manager appointment; tenure; tenure of office; qualifications.

The City Commission must appoint a City Manager who is the administrative head of the municipal government under the direction and supervision of the City Commission and holds office at the pleasure of the City Commission. The City Manager must be chosen solely on the basis of executive and administrative qualifications without regard to political belief, and need not be a resident of the City or state at the time of appointment; however, not later than 90 days after executing the Oath of Office, the City Manager must become a resident of the City. The City Manager must have prior management experience, and the Commission must consider more than one (1) qualified candidate for City Manager. The City Manager must be a member in good standing of a professional organization such as the International City/County Management Association prior to appointment or within six (6) months after appointment. The City Commission will establish an appropriate contract for the City Manager, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate. The City Manager may also be deemed to be a regular employee of the City, and the

employment conditions, compensation, benefits and other terms may be set by the City Commission through ordinance, resolution or policy.

Section 26. Reserved.

Section 27. Reserved.

Section 28. Reserved.

Section 29. Powers and duties enumerated.

The City Manager is responsible to the City Commission for the proper administration of all affairs of the City, and to that end has the following powers and duties:

- (a) To see that the laws and ordinances are enforced;
- (b) Except as hereinafter specifically provided, to appoint and remove all subordinate officers and employees of the City; all appointments to be made upon merit and fitness alone;
- (c) To exercise control and direct supervision over departments and divisions of the municipal government under this Charter, or which may hereafter be created by the City Commission, including setting the compensation for officers and employees;
- (d) To see that all terms and conditions imposed in favor of the City or its inhabitants in any contract are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the City Attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same;
- (e) To attend all meetings of the City Commission, and of its committees, with right to take part in the discussions, but without having a vote;
- (f) To recommend to the Commission for adoption such measures as deemed necessary or expedient in the interests of the City;
- (g) To keep the City Commission fully advised as to the financial condition and needs of the City and to submit for its consideration an annual budget and five-year capital improvement plan;
- (h) To be responsible for the procurement, sale of surplus, management, payment, and contract compliance for all supplies, services, and construction contracts, including any Federal, State, or other grant funded activity, at the direction of the City Commission and in accordance with all applicable City, State, or Federal laws and regulations; and
- (i) To designate a City Manager pro tem to be approved by the City Commission to serve in case of absence or disability of the City Manager.

Section 30. Salaries and compensation.

The City Manager fixes the number and compensation of all other officers and employees. The salaries or compensation must be uniform for like services in each grade of the City service, as the same will be graded or classified by the City Manager, and approved by the City Commission. All salaries and rates of pay, with dates of employment and discharge, must be immediately reported to the City Clerk. All fees and money received or collected by officers and employees must be immediately paid over to the City Comptroller on the date of their receipt.

Section 31. City Attorney tenure of office; qualifications; appointment and duties; attorney pro tem.

(a) The City Commission must appoint a City Attorney, who acts as the legal advisor to and attorney and counselor for the municipality and all of its officers in matters relating to their official duties. The City Attorney serves under the direction and supervision of the City Commission and holds office at the pleasure of the City Commission. The City Attorney must be chosen on the basis of legal and administrative qualifications. The City Commission must establish an appropriate contract for the City Attorney, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Attorney, the City Commission must designate a properly qualified person to temporarily execute the functions of the office. The City

Attorney must be a lawyer admitted to and having authority to practice in all courts of the state, including circuit and district appellate courts of Florida. The City Attorney must also be admitted to practice in the federal Middle District of Florida court and the 11th Circuit Appeals court or be admitted within six months of taking the Oath of Office. It is preferred that the City Attorney be board certified in City, County and Local Government Law by the Florida Bar Association.

(b) The City Commission must establish an appropriate contract for the City Attorney, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate. During the absence or disability of the City Attorney, the City Commission must designate a properly qualified person to temporarily execute the functions of the office.

(c) Powers and duties enumerated. The City Attorney is responsible to the City Commission for the proper administration of all affairs of the City assigned to the office of the City Attorney and to that end, the City Attorney's duties and powers are the following:

- 1) Prepare all contracts, bonds and other instruments in writing in which the municipality is concerned, and endorses on each the City Attorney's approval;
- 2) Take such action required to avoid default judgment against the City in any litigation and must obtain authorization by resolution to prosecute and defend all causes of action, lawsuits and claims in which the City is a party. The City Attorney must review with the City Commission at the next regular meeting when any action to avoid default has been taken by the City Attorney;
- 3) Provide opinions of law relating to the activities of the City, the City Commission, the City Manager and City Clerk, upon request; and the direct employees of the City Attorney in the office of the City Attorney report to the City Attorney. The City Attorney has the authority to hire, direct, promote and terminate the employees in the City Attorney's Office, notwithstanding Section 29(b) herein; and
- 4) For the purpose of serving during the absence or disability of the City Attorney, the City Attorney must propose a list of qualified attorneys for approval by the City Commission from which the City Commission may choose a City Attorney pro tem.

Section 32. Reserved.

Section 33. Reserved.

Section 34. Reserved.

Section 35. Reserved.

Section 36. Reserved.

Section 37. Reserved.

Section 38. Reserved.

Section 39. Reserved.

Section 40. Reserved.

Section 41. Police department – Composition; authority of chief.

The police department of the City of Fernandina Beach consists of a chief of police and as many subordinate officers, and employees as the City Commission determines by ordinance. The chief of police has exclusive control of the stationing and transfer of all officers and employees constituting the

police department, subject to the approval of the City Manager and under such rules and regulations as the City Commission may prescribe or as may be prescribed by the ordinances of the City. In case of riot, conflagration or like emergency, the City Manager may appoint additional police personnel for temporary service. A referendum election is required prior to the City dissolving the police department of the City or contracting out law enforcement services to another agency.

Section 42. Reserved.

Section 43. Reserved.

Section 44. Fire department; composition; authority of chief.

The fire department of the City consists of a chief and as many subordinate officers, firefighter/rescue personnel and employees as the City Commission, by ordinance, determines. The fire chief has exclusive control of the stationing and transfer of all firefighter/rescue personnel and other officers and employees of the fire department subject to such rules and regulations as may be prescribed by the City Manager or by ordinance of the City; the fire chief has exclusive management and control of such officers and employees as may be employed in the administration of the affairs of the force. In case of riot, conflagration or like emergency, the City Manager may appoint additional firefighter/rescue personnel for temporary service. A referendum election is required prior to the City dissolving the fire department of the City or contracting out fire/rescue services to another agency.

Section 45. Reserved.

Section 46. Reserved.

Section 47. City Clerk appointment and qualifications; powers and duties enumerated; and City Clerk pro tem.

(a) The City Commission must appoint a City Clerk, who serves under the direction and supervision of the City Commission and holds office at the pleasure of the City Commission. The City Clerk must be chosen on the basis of administrative qualifications. The City Clerk must be a member in good standing of a professional organization such as the Florida Association of City Clerks. The City Commission must establish an appropriate contract for the City Clerk, which contains the employment conditions, compensation, benefits and such other terms as may be appropriate.

(b) The City Clerk is responsible to the City Commission for proper administration of all affairs of the City assigned to the office of the City Clerk and to that end, the City Clerk's duties and powers are the following:

- 1) Attend all meetings of the City Commission and keep a journal of its proceedings, the correctness of which proceedings as entered in such journal must be certified to after each meeting by the signature of the City Clerk and by the signature of the presiding officer of the City Commission. Additionally, a journal must be maintained of the proceedings of all boards and committees required by the City Commission;
- 2) Is the custodian of the seal of the City;
- 3) Conduct municipal elections exercising authority not reserved to county constitutional officers; however all such authority and responsibility to conduct municipal elections, either special or general municipal elections, may be contracted out to the Nassau County Supervisor of Elections, as determined by the City Commission from time to time;
- 4) Countersign all checks and review outgoing checks to determine compliance with the City's established Purchasing Policy and Procedures;
- 5) Serve as legal custodian of all City records including but not limited to, all contracts, deeds, abstracts, title insurance policies and other official documents;
- 6) Authenticate all ordinances, resolutions and transcripts of legislative functions;

- 7) Publish all public notices required by the City Commission or by law;
- 8) Prepare all awards, proclamations, certificates and other formal Documentation by the City Commission;
- 9) Notify the City Commission of all vacancies on boards or committees established by the City Commission;
- 10) File all liens, satisfactions and releases as authorized by the Mayor or City Manager;
- 11) Serve as notary public on behalf of the City and attest all City documents as required;
- 12) The direct employees of the City Clerk in the office of the City Clerk report to the City Clerk. The City Clerk has the authority to hire, direct, promote and terminate the employees in the City Clerk's office, notwithstanding Section 29(b) herein;
- 13) Maintain City records of annexations and the official City boundaries, as they may be amended from time to time; and
- 14) For the purpose of serving during the absence or disability of the City Clerk, a City Clerk pro tem must be proposed for approval by the City Commission.

Section 48. Reserved.

Section 49. Reserved.

Section 50. Reserved.

Section 51. Reserved.

Section 52. Reserved.

Section 53. Reserved.

Section 54. Reserved.

Section 55. Reserved.

Section 56. Reserved.

Section 57. Reserved.

Section 58. Department of Finance established.

There is established a department of Finance, which is headed by a City Comptroller, under the supervision of the City Manager. The City Comptroller must be a Certified Public Accountant (CPA) or have the same training and qualifications as a CPA. The Comptroller must be a member in good standing of the Florida Government Finance Officers Association within six (6) months of starting employment with the City. The City Comptroller is the custodian of all funds of the City and keeps, preserves, reconciles, records, invests and deposits all funds of whatever kind in a legally authorized manner in accordance with the guidelines of the Governmental Accounting Standards Board, as established by the State of Florida and any established policies and procedures of the City.

Section 59. Liability Insurance.

The City Comptroller must have professional liability to protect the City.

Section 60. Collection of interest on investments or deposits.

All money due as interest upon investments or deposits is collected by the City Comptroller and placed to the credit of the City, and any and all bonds and securities taken for investments and deposits are held by the City Comptroller for safe keeping for the benefit of the City. The Comptroller must propose sound, written investment policies which are approved by the City Commission.

Section 61. Reserved.

Section 62. Payment of money; procedure.

The City Comptroller issues checks to be paid from City funds only in accordance with established procedures, which procedures must be reviewed and approved by the City Manager and City Commission. The checks of the City may carry electronic signatures. In a declared emergency, the persons authorized to sign on behalf of the City must be established by resolution.

Section 63. Reserved.

Section 64. Financial Report; submission to Commission monthly.

At a regular City Commission meeting, the City Comptroller will submit monthly to the City Commission through the City Manager, a detailed report of the financial status of the City funds. The City Comptroller, or designee, will also attend the meeting to provide the necessary interpretation of the submitted financial data or to respond to the financial questions generated by the Commission. In addition, the City Comptroller must schedule an annual financial audit of accounts and records by an independent certified public accountant in accordance with state law.

Section 65. Reserved.

Section 66. Reserved.

Section 67. Reserved.

Section 68. Reserved.

Section 69. Reserved.

Section 70. Reserved.

Section 71. Annual estimate of expenditures and revenues for forthcoming year; submission to City Commission by City Manager.

- a) In accordance with Section 29(g), the City Manager sets forth an estimate of the expenditures and revenues of the City for the upcoming fiscal year. The estimate of expenditures and revenues must be submitted in compliance with the procedures set forth in the laws of Florida.
- b) The estimates, budget and 5-year capital improvement plan constituting the recommendation of the City Manager as to the amounts necessary to be appropriated for the ensuing fiscal year must be supported with information giving the reasons therefore in such detail as may be necessary to afford the City Commission a comprehensive understanding of the needs and requirements of the various departments and divisions of the City government for the ensuing fiscal year.

Section 72. Reserved.

Section 73. Reserved.

Section 74. Transfer of funds.

Upon request of the City Manager, the City Commission may authorize a budget amendment or budget transfer by resolution. The City Manager is authorized to transfer funds within the same department or division in such maximum amounts as established by ordinance or resolution from time to time;

provided, however, this authorization does not extend to any funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund.

Section 75. Limitation on appropriations.

At the close of each fiscal year the unencumbered balance of each appropriation reverts to the respective fund from which it was appropriated and is subject to future appropriation. Any accruing revenue of the City not appropriated and any balance at any time remaining after the purpose of the appropriation has been satisfied or abandoned may from time to time be appropriated by the City Commission to such use as will not conflict with any uses for which specifically such revenues accrued. No money may be drawn from the treasury of the City, nor any obligation for the expenditure of the money be incurred, except pursuant to the appropriation made by the City Commission. No funds received for or maintained in the Fernandina Beach Land Conservation Trust Fund may be appropriated for or applied to any expenditure for any purpose other than those set forth in the Fernandina Beach Land Conservation Program.

Section 76. Reserved.

Section 77. Reserved.

Section 78. Reserved.

Section 79. Fees.

- (a) Pursuant to the laws of the State of Florida, the City may levy reasonable business, professional, and occupational regulatory fees commensurate with the cost of the regulatory activity, including consumer protection, on such classes of businesses, professions, and occupations, the regulation of which has not been preempted by the state or a county pursuant to a county charter.
- (b) Pursuant to and in compliance with the laws of the State of Florida, the City may impose, by taxation and licenses or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by law.

Section 80. Reserved.

Section 81. Comptroller Certification of funds for contracts, obligations, etc.

The Comptroller must certify to the City and the City Commission that money to be expended for an obligation, such as a contract, is contained in the City account from which it is to be drawn and not appropriated for any other purpose prior to any action being taken by the City Commission or any City employee that commits the City to incur the obligation.

Section 82-107. Reserved.

Section 107A. Reserved.

Section 108-119. Reserved.

Section 120. Reserved.

Section 121. Oath of office.

Every officer and employee of the City must, before entering upon the duties of employment or office, take and subscribe to an oath or affirmation to be filed and kept in the office of the City Clerk, which must be in compliance with state law and at a minimum be in the following form:

“I, _____, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of Fernandina Beach and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitutions of the United States and of the State of Florida, and I will in all respects observe and implement the laws of the State of Florida and the laws, and policies of the City of Fernandina Beach, including without limitation, the City’s Comprehensive Plan and the standards of conduct prescribed by the Florida Code of Ethics for Public Officers and Employees. I further promise to fairly and honestly use my position to support the best interests of the citizens of Fernandina Beach.”

Section 122. Reserved.

Section 123. Reserved.

Section 123A. Reserved.

Section 124. Reserved.

Section 125. Reserved.

Section 125A-135. Reserved.

Section 136. Administrative investigations.

- (a) The City Commission may by majority vote authorize investigations by resolution. The City Commission, Charter Officers and members of City Commission appointed boards, have the power at any time to cause the affairs of any department or the conduct of any officer or employee to be investigated. For such purpose each has the power to compel the attendance of witnesses and the production of books, papers, and other evidence; and may issue subpoenas or attachments which must be signed by the Mayor or the City Manager and must be served by any officer authorized by law to serve such process.
- (b) The authority making such investigation has the power to cause the testimony to be given under oath, such oath to be administered by some officer having authority under the law of the state to administer oaths. The authority has the power to punish as for contempt any person refusing to testify to any fact within their knowledge, or produce any book or papers under their control relating to the matter under investigation.
- (c) Nothing in this section should be construed to limit the Charter Officers' ability to inquire into matters under their respective areas of responsibility.

Section 137. Dedication of streets.

No street or alley hereinafter dedicated to public use by the owner of any land within the City will be deemed a public street or alley, under the care or control of the City, unless the dedication be accepted and confirmed by ordinance or resolution passed for such purpose.

Section 138-140. Reserved.

Section 141. Initiatives.

- (a) *Power to propose initiatives.* The registered voters of the City have the power to propose ordinances (which can include amending existing ordinances) to the City Commission provided that such power

does not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees. If the City Commission fails to adopt the proposed ordinance without any change in substance, the voters have the power to adopt or reject it at a City election.

(b) *Commencement of proceedings.* Any five (5) registered voters may commence an initiative proceeding by filing an affidavit with the City Clerk stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance to be voted upon. Promptly after the affidavit of the petitioners' committee is filed, the City Clerk will, at the committee's request and expense, issue the appropriate petition blanks to the petitioners' committee.

(c) *Petitions.*

(1) *Number of signatures.* Initiative petitions must be signed by registered voters of the City equal in number to at least ten (10) percent of the total number of qualified voters registered to vote in the last regular City election.

(2) *Form and content.* All papers of a petition must be uniform in size and style and assembled as one instrument for filing. Each signature must be executed by hand in ink or indelible pencil and shall be followed by the address of the person signing. Petitions must contain or have attached thereto throughout their circulation the full text of the ordinance being proposed.

(3) *Affidavit of circulator.* When filed, each paper of a petition must have attached to it an affidavit executed by its circulator stating that the circulator personally circulated the paper, giving the number of signatures thereon, and stating that all the signatures were affixed in the circulator's presence, that the circulator believes them to be genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance being proposed.

(d) *Procedure after filing.*

(1) *Certificate of City Clerk; amendment.* Within twenty (20) days after the petition is filed, the City Clerk will complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and promptly send a copy of the certificate to the petitioners' committee by registered mail. The only grounds for insufficiency are failure to comply with subsection (c) of this section. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the City Clerk within two (2) days after receiving the copy of the City Clerk's certificate and files a supplementary petition with additional signatures within ten (10) days after receiving the copy of such certificate. The supplementary petition must comply with the requirements of paragraphs (2) and (3) of subsection (c) above and within five (5) days after it is filed, the City Clerk will complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request City Commission review under paragraph (2) below within the time required, the City Clerk will promptly present their certificate to the City Commission and the certificate will then be a final determination as to the sufficiency of the petition. The City Clerk will be paid by the petitioners' committee any amount charged by the Nassau County Supervisor of Elections for verification of the names on the petition.

(2) *Commission review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be

reviewed by the City Commission. The City Commission will review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the City Commission's determination is then the final determination as to the sufficiency of the petition.

(3) *Court review; new petition.* A final determination as to the sufficiency of a petition will be subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose.

(e) *Action on petitions.*

1) *Action by Commission.* When an initiative petition has been finally determined sufficient, the City Commission will promptly consider the proposed initiative ordinance. If the City Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days after the date the petition was determined sufficient, the Commission will submit the proposed ordinance to the voters of the City.

2) *Submission to voters.* The vote by the electorate of a proposed ordinance will be held at the next regular City election, but not less than ninety (90) days from the date that the petition was determined sufficient. The City Commission in its discretion may provide for a special election at an earlier date than the next regular election provided that the date of the special election is at least ninety (90) days after the date that the petition was determined sufficient. Copies of the proposed ordinance will be made available at the polls.

3) *Withdrawal of petitions.* An initiative petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the City by filing with the City Clerk a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon the filing of such request, the petition has no further force or effect and all proceedings thereon are terminated.

(f) *Results of election.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, the ordinance is considered adopted upon certification of the election results and will be treated in all respects in the same manner as ordinances of the same kind adopted by the City Commission; provided, however, that the same shall not be amended or repealed except by a vote of a supermajority of the Commission. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Section 142. Charter amendment and review.

- (a) This Charter may be amended by either (1) ordinance proposed and adopted by the City Commission or (2) petition proposed and signed by at least 10 percent of the total number of qualified voters registered to vote in the last regular City election; in each case, in accordance with Florida Statute 166.031
- (b) Beginning in 2027, and at least once every eight (8) years thereafter, the City Commission must appoint a Charter Review Committee, of not less than seven (7) members from the City electors to review the City Charter and propose to the City Commission any amendments or revisions, which may be advisable for placement on the election ballot. The City Attorney is responsible for supporting such committee with staff and legal advice.

Section 143. Savings clause.

If any section or part of a section of this Charter proves to be invalid or unconstitutional, the same does not invalidate or impair the validity, force, or effect of any other section or part of a section of this Charter, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

Section 144. When this Charter becomes effective.

The foregoing sections of this Charter shall take effect upon their ratification by a majority vote of the qualified electors of the City of Fernandina Beach voting at a special or general election to be held in the City of Fernandina Beach.

NOTICE OF PUBLIC HEARING CITY COMMISSION CITY OF FERNANDINA BEACH

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for Tuesday, January 19, 2021, at 6:00 PM in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2020-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, SUBMITTING TO THE CITY ELECTORS PROPOSED AMENDMENTS TO THE CHARTER; AMENDING SECTION 1 TO REFLECT ACCURATE HISTORY OF THE CREATION OF THE CITY OF FERNANDINA BEACH; AMENDING SECTION 9 TO CHANGE "GROUP" TO "SEAT" FOR CITY COMMISSIONERS; AMENDING SECTION 10 TO REQUIRE CITY COMMISSIONERS TO COMPLETE ANNUAL PERFORMANCE EVALUATIONS FOR CHARTER OFFICERS AND TO INCLUDE PENALTIES FOR COMMISSIONERS INTERFERING WITH ADMINISTRATIVE SERVICE; AMENDING SECTION 11 BY ADDRESSING COMMISSIONER ABSENCES AND VACANCIES, INCORPORATING STATE CODE OF ETHICS FOR COMMISSIONERS AND PROVIDING DUE PROCESS PRIOR TO FORFEITURE OF COMMISSION SEAT FOR VIOLATIONS OF RULES; AMENDING SECTION 16 BY CHANGING STRAW BALLOT VOTE FOR MAYOR TO BINDING VOTE OF THE PEOPLE FOR MAYOR, REQUIRING THAT MAYORAL CANDIDATE WITH SECOND HIGHEST VOTES BE ELECTED AS VICE MAYOR; AMENDING SECTION 17 BY MAKING MAYOR RESPONSIBLE FOR COMMISSIONERS' COMPLETION OF CHARTER OFFICER EVALUATIONS; AMENDING SECTION 21 BY INCLUDING A PROVISION TO ALLOW COMMISSIONERS TO ATTEND MEETINGS USING COMMUNICATION TECHNOLOGY DUE TO A SERIOUS MEDICAL CONDITION IN COMPLIANCE WITH STATE LAW; AMENDING SECTION 25 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY MANAGER, INCREASING THE TIME FOR NEW CITY MANAGER TO BECOME CITY RESIDENT FROM THIRTY TO NINETY DAYS AND REQUIRING DESIGNATION OF CITY MANAGER PRO TEM; AMENDING SECTION 31 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY ATTORNEY AND REQUIRING THAT THE CITY ATTORNEY PROVIDE A LIST OF QUALIFIED ATTORNEYS FOR CONSIDERATION BY THE CITY COMMISSION FOR CITY ATTORNEY PRO TEM; AMENDING SECTION 41 BY PROVIDING THAT A REFERENDUM VOTE OF THE PEOPLE IS REQUIRED BEFORE THE POLICE DEPARTMENT CAN BE DISSOLVED; AMENDING SECTION 44 BY PROVIDING THAT A REFERENDUM VOTE OF THE PEOPLE IS REQUIRED BEFORE THE FIRE DEPARTMENT CAN BE DISSOLVED; AMENDING SECTION 47 BY INCLUDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR CITY CLERK AND REQUIRING DESIGNATION OF CITY CLERK PRO TEM; AMENDING SECTIONS 58 AND 60 BY PROVIDING MINIMUM PROFESSIONAL QUALIFICATIONS FOR COMPTROLLER AND REQUIRING COMPTROLLER TO PROPOSE SOUND, WRITTEN INVESTMENT POLICIES FOR APPROVAL BY COMMISSION; AMENDING SECTION 64 BY REQUIRING COMPTROLLER TO SCHEDULE ANNUAL FINANCIAL AUDIT BY INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT; AMENDING SECTIONS 74 AND 75 BY PROHIBITING TRANSFER OF FUNDS OUT OF CONSERVATION TRUST FUND TO BE USED FOR ANY OTHER PURPOSE BESIDES CONSERVATION; REPEALING SECTION 107A TO REMOVE RESTRICTIONS ON COMMUNITY REDEVELOPMENT AREAS (CRA's); AMENDING SECTION 121 BY PROVIDING AN OATH OF OFFICE IN COMPLIANCE WITH STATE LAW INCLUDING FLORIDA CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES; AMENDING SECTION 136 PROVIDING THAT BY MAJORITY VOTE, CITY COMMISSIONERS, CHARTER OFFICERS AND MEMBERS OF APPOINTED CITY BOARDS MAY REQUEST THAT THE CITY COMMISSION INVESTIGATE A DEPARTMENT, OFFICER OR EMPLOYEE; CREATING SECTION 141 PROVIDING FOR CITIZEN INITIATIVES TO PROPOSE OR AMEND CITY ORDINANCES AND PROVIDING FOR AN INITIATIVE PROCESS; AMENDING RESERVED SECTION 142 TO REQUIRE THE CHARTER TO BE REVIEWED EVERY EIGHT YEARS BY A CHARTER REVIEW COMMITTEE MADE UP OF CITY RESIDENTS; AMENDING SECTIONS 6-8, 12-13, 22, 29-30, 59, 62, 71, 79, 137, 143, AND 144 TO CLARIFY CERTAIN PROVISIONS WITHOUT CHANGING THEIR MEANING; REPEALING SECTIONS 10b, 14-15, 20, 32-33, 45, 61, 69, 72, 78, 120, 122 AND 125 TO BE CONSISTENT WITH STATE LAW AND/OR INCORPORATING SECTIONS INTO OTHER EXISTING SECTIONS; SCHEDULING A REFERENDUM MAIL BALLOT ELECTION ON OR BEFORE JUNE 15, 2021; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday, (904) 310-3115.

January 6, 2021 News Leader Edition

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

WHEREAS, the City Commission believes it is in the best interest of the citizens to amend the City Code of Ordinances, specifically, Chapter 34, Elections, Section 34-1 to change City general election date to August to coincide with the state primary election date, which is 11 weeks prior to the general election date held on the first Tuesday after the first Monday in November of every even-numbered year; and

WHEREAS, Section 34-9 of the City Code is obsolete and should be repealed because the City Charter, Section 16 preempts the City Code and was amended by City voters in April 2021; and

WHEREAS, Section 34-10 should be amended to provide for the annual organizational meeting date to coincide the with new City general election date in August.

NOW, THEREFORE, THE CITY OF FERNANDINA BEACH, FLORIDA, HEREBY ENACTS:

SECTION 1. It is proposed that Chapter 34, Section 34-1, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 34-1. - Municipal elections.

(a) All City elections shall be held ~~on the first Tuesday after the first Monday in November of each year~~ on the date of the state primary election held 11 weeks prior to the state general election date in November for the election of members of the City commission. Such elections ~~shall~~ will be non-partisan elections. In the event a runoff or second election ~~shall~~ becomes necessary, as set forth in the Charter § 9(c), then and in that event all runoff or second elections ~~shall~~ will be held on the ~~second Tuesday in December of each year~~ first Tuesday after the first Monday in November of every even-numbered years on the same date as the general election for county, state and federal offices.

(b) Notice of the date of the election must shall comply with state election laws. ~~be given. Such notice shall include a sample ballot. The notice shall be published at least one time in a newspaper of general circulation in the week prior to the date of the election, and again in the week prior to the run-off election.~~

(c) The expense of holding any election provided for in this section, including but not limited to the expense of preparing the ballots, blanks and other supplies to be used in any election in this City and all expenses necessarily incurred in the preparation for and in the conduct of such election, shall will be paid out of the City budget. ~~treasury.~~

(d) Any qualified elector, as defined by state law, shall will be entitled to vote at the election ~~and shall receive the official ballot for the election.~~

(e) ~~The polls shall open and close at the same hour or time required under general law for the opening and closing of polls for state elections. The requirements for holding elections as set forth in the state election laws shall govern the conduct of the election.~~

SECTION 2. It is proposed that Chapter 34, Section 34-9, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby repealed as follows:

~~Sec. 34-9. Election of mayor by straw ballot.~~

(a) ~~—The mayor of the city shall be selected by virtue of a straw ballot election to be held in conjunction with the regular election held for the purpose of electing city commissioners. The results of the straw ballot shall be taken under advisement by the city commission for the appointment of the mayor at the organizational meeting to be held in accordance with section 34-10.~~

(b) ~~—The straw ballot election shall be held in accordance with the requirements of section 123A of the Charter of the city and of this chapter, as they may be amended.~~

(c) ~~—Candidates for the straw ballot election shall consist of incumbent commissioners who are not subject to reelection to the city commission. Any eligible candidate not wishing to be considered for the position of mayor shall request in writing, no later than 30 days before the general election, that his name be deleted from the straw ballot.~~

(d) ~~—The candidate receiving the highest number of votes in the straw ballot shall be given primary consideration for the appointment as mayor at the organizational meeting. In the event that there should be a tie vote among the top eligible candidates, the tie shall be broken by the flip of a coin, with the winner being given the primary consideration and the loser being considered for the vice-mayor position.~~

(e) ~~—On the occasion that all eligible candidates should request that their names not be placed on the straw ballot, then no straw ballot election shall be held and the city commission shall appoint a mayor and vice-mayor from its membership at the organizational meeting.~~

(f) ~~On the occasion that all eligible candidates but one should withdraw from the straw ballot election, there shall be no straw ballot election and the one remaining candidate shall be considered the primary candidate for the position of mayor at the organizational meeting.~~

(g) ~~The appointee shall serve as mayor until the organizational meeting following the next regular general election held by the city.~~

SECTION 3. It is proposed that Chapter 34, Section 34-10, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 34-10. - Annual organizational meeting.

At 5:00 p.m. on the ~~third Tuesday in December~~ the third Tuesday of November of each year, or at such other reasonable time or date that the City commission may designate, the City commission shall meet at the usual place for holding its meetings, at which time the newly elected commissioner or commissioners shall assume the duties of office as contemplated by the Charter of the City.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof is held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application will not be affected thereby.

SECTION 5. The provisions of this Ordinance will take effect immediately upon its passage and enactment.

ENACTED this 21st day of February, 2023.

CITY OF FERNANDINA BEACH

BRADLEY M. BEAN
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

Date of First Reading: January 17, 2023
Date of Second Reading/Final Hearing: February 21, 2023
Date of Publication: February 1, 2023

February 8, 2023
News Leader Edition

**NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF FERNANDINA BEACH**

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, February 21, 2023, at 6:00 PM** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

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For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday, (904) 310-3115.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Marina Advisory Board

ITEM TYPE: Board Appointment

REQUESTED ACTION: Approve appointment.

SYNOPSIS: In accordance with Resolution 2018-128, Section A and Section B: The Marina Advisory Board (MAB) will consist of seven members and one non-voting member appointed by the City Commission; no more than four of the voting members can be permanent slip holders/renters in the Fernandina Harbor Marina.

The MAB has four regular member vacancies. Mr. Chris Nickoloff resides within the City making him eligible to serve as a regular member.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager 2/10/2023

Kim Briley

Date: February 09, 2023

Submitted By: Kim Briley, Deputy City Clerk

COMMISSION ACTION: Approve

Kim Briley

From: ch ni <fyreman244@hotmail.com>
Sent: Wednesday, February 1, 2023 1:51 PM
To: Kim Briley
Subject: Re: Online Form Submittal: Advisory Board/Committee Application

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

Hi Kim. This application was for Marina advisory board. This is in addition to the pension board application. Thx.

Get [Outlook for iOS](#)

From: ch ni <fyreman244@hotmail.com>
Sent: Friday, January 20, 2023 4:19:51 PM
To: Kim Briley <kelliott@fbfl.org>
Subject: Re: Online Form Submittal: Advisory Board/Committee Application

Hi. This form was for the marina advisory board. Thx.

Get [Outlook for iOS](#)

From: Kim Briley <kelliott@fbfl.org>
Sent: Friday, January 20, 2023 8:11:07 AM
To: fyreman244@hotmail.com <fyreman244@hotmail.com>
Cc: Caroline Best <cbest@fbfl.org>; Michelle.Rodriguez@foster-foster.com <Michelle.Rodriguez@foster-foster.com>; 'Kim.Kilgore@foster-foster.com' <kim.kilgore@foster-foster.com>
Subject: RE: Online Form Submittal: Advisory Board/Committee Application

Dear Mr. Nickoloff

Thank you for expressing interest in serving on the Board of Trustees of the Fire & Police Pension Plan. Please be advised this matter is on the 2/7/23 City Commission Regular Meeting agenda for consideration. Please contact me with any questions between now and then.

Sincerely,

Kim Elliott-Briley, MMC
Deputy City Clerk
City of Fernandina Beach
204 Ash St.
Fernandina Beach, Florida 32034
(904) 310-3117 | kelliott@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please DO NOT REPLY TO ALL.

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, January 19, 2023 9:38 PM
To: Caroline Best <cbest@fbfl.org>; Kim Briley <kelliott@fbfl.org>
Subject: Online Form Submittal: Advisory Board/Committee Application

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

Advisory Board/Committee Application

This application is intended to provide information that will enable the City Commission to select the most qualified Board/Committee members. Please complete all applicable sections and return the form along with your current résumé to the City Clerk's Office.

City of Fernandina Beach
City Clerk's Office
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115

Name	Chris Nickoloff
------	-----------------

Home Mailing Street Address	fyreman244@hotmail.com
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City	FERNANDINA BEACH
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Zip Code	32034
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Primary Phone	3035031397
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Secondary Phone	<i>Field not completed.</i>
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Please note that board materials are distributed electronically.

Email to receive board materials	fyreman244@hotmail.com
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Employer	retired
----------	---------

Position Title	<i>Field not completed.</i>
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Business Address	553 SPANISH WAY W
------------------	-------------------

City	FERNANDINA BEACH
------	------------------

Zip	32034
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Select the advisory board/committee you are applying for:	Marina Advisory Board
---	-----------------------

Additional board that you are applying for:	Board of Trustees of the Fire & Police Pension Plan
---	---

	It's a way to do my part for the community.
--	---

Why are you interested in
serving on this Board?
Please explain.

Eligibility

Are you a resident of the City? Yes

Length of time: 4 years

Do you hold a public office? No

Office name: *Field not completed.*

Are you employed by the City? No

Position: *Field not completed.*

Are you currently serving on a Board? No

Board Name: *Field not completed.*

Potential Conflict of Interest:

Have you ever been engaged in the management/ownership of any business enterprise that has a financial interest with the City of Fernandina Beach? No

Field not completed.

If yes, please provide details:

Major Affiliations:

List community, professional, or other applicable policy-making Boards on which you have served.
Note the length of service and office held (if any):

Colorado Professional Firefighters Executive Board- Vice President - 6 years
Colorado Professional Firefighters Foundation- 501.c.3- Director 18 years

Qualifications:

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended:

BS Business Management

Organization or Commissioner sponsoring nomination (if applicable):

Marion Phillips

Educational Background:
(Check all that apply)

BS/A

Field not completed.

Other:

Major areas of study:

Business management//Fire Science

Florida's Public Records Law, Chapter 119, Florida Statutes, states:

“It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person.” Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes

I understand that if I am appointed to one of the City’s boards, I will be required to file a financial disclosure form - Form 1, as described above, and I am willing to comply with this requirement.

I understand that any false, incomplete or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete or misleading information discovered on this application at any time after appointment to a Board may result in my removal.

I also understand that all board appointments are for voluntary, uncompensated services. Additionally, if appointed, I am able to attend meetings and otherwise fulfill the duties of the office.

Applications are submitted to the City Commission when vacancies occur and are effective for two years from date of completion.

Do you understand the duties and responsibilities of the Board/Committee that you are applying for?

Yes

By submitting this form, I declare the foregoing facts to be true, correct, and complete.

Date 01/19/2023

Applicant's Signature

Christopher J Nickoloff

Email not displaying correctly? [View it in your browser.](#)

Marina Advisory Board

Position	Term	Name & Address	Phone
2	09-04-2018	Joe Blanchard – Non-Slip Member 593 Amelia Circle, Fernandina Beach, FL 32034 JLBLAN2@bellsouth.net	904-753-1007
3	12-07-2021	Marian Phillips – Non-Slip Member 724 South 6th Street, Fernandina Beach, FL 32034 islandgirl79@comcast.net	(904) 206-0230
4	01-04-2022	Timothy Spratto – Non-Voting Member 96235 Ocean Breeze Drive, Fernandina Beach, FL 32034 timothy.spratto@baesystems.com	(904) 451-5064
6	03-02-2021	Barb Kent – Non-Slip Member 2009 Sunrise Drive, Fernandina Beach, FL 32034 bktours@comcast.net	(904) 556-5700

Marina Advisory Board

Term Length: 24 Months

Max Terms: 1 Term(s)

Number of Members: 8

Meeting Schedule: 4th Monday of every other month beginning March 2022

Meeting Time: 6:00 PM

Meeting Location: City Commission Chambers

Meeting Address: 204 Ash Street

Type: Advisory Board

Description:

Council Liaison:

Staff Liaison:

Taylor Fitzsimmons

(904) 310-3300

tfitzsimmons@oasismarinas.com

Position Number	Name	Appt Date	No. of Terms Served	Term Expiration Date
2	Joe Blanchard	09/04/2018	1	12/31/2025
3	Marian Phillips	12/07/2021	1	12/31/2024
4	Timothy Spratto	01/04/2022	1	12/31/2024
6	Barb Kent	03/02/2021	1	12/31/2024

RESOLUTION 2018-128

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; no more than four of the voting members ~~must~~ can 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 4th day of September, 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 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.

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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