



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
JUNE 18, 2024
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Reverend John Kasper of Blackrock Baptist Church.

4. PROCLAMATIONS / PRESENTATION

4.1 **PROCLAMATION - "BOYS & GIRLS CLUB OF NASSAU COUNTY WEEK"** - *Recognizing the week of June 24–28, 2024, as "Boys & Girls Club of Nassau County Week". Nassau County Boys & Girls Club Senior Area Director Ms. Jamie Thompson and Senior Service Director Mrs. Sherryl Smith will be in attendance to accept.*

4.2 **PROCLAMATION - "CHRISTIAN HERITAGE DAY"** - *Recognizing June 29, 2024, as "Christian Heritage Day" in Fernandina Beach. Judge John M. Meisburg will be in attendance to accept the Proclamation.*

4.3 **BUDGET SUMMARY** - *Comptroller Pauline Testagrose will review the May 2024 budget summary and answer any questions.*

5. CONSENT AGENDA

5.1 **APPROVAL OF MINUTES** - *Community Redevelopment Agency - April 16, 2024; City Commission Regular Meeting - April 16, 2024; City Commission Workshop - May 7, 2024; City Commission Regular Meeting - May 7, 2024 and the City Commission Regular Meeting - May 21, 2024.*

5.2 **SCRIVENER'S ERROR CORRECTION - OPIOID SETTLEMENT EXPENDITURES** - **RESOLUTION 2024-102** APPROVING THE EXPENDITURE OF FUNDS RECEIVED IN YEAR ONE OF THE OPIOID LAWSUITS SETTLEMENT AGREEMENT IN FISCAL YEAR 2024/25 IN THE AMOUNT OF \$38,870.79; APPROVING A BUDGET TRANSFER; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves spending Year One settlement funds for a handheld narcotics analyzer for the City's police department.*

5.3 **(INFORMATIONAL ONLY) BEACH RENOURISHMENT TEMPORARY EASEMENT** - **RESOLUTION 2024-104** APPROVING A TEMPORARY EASEMENT AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND THE UNITED STATES ARMY CORPS OF ENGINEERS FOR BEACH RENOURISHMENT STAGING AND MOBILIZATION; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Provides for the public the full language of the Resolution and backup materials that the City Commission*

approved as an emergency item at their June 4, 2024, Regular Meeting.

6. RESOLUTIONS

- 6.1 **EMPLOYMENT AGREEMENT - INTERIM CITY MANAGER - RESOLUTION 2024-105** APPROVING AN EMPLOYMENT AGREEMENT WITH JEREMIAH GLISSON FOR EMPLOYMENT AS INTERIM CITY MANAGER; AUTHORIZING EXECUTION OF DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves an employment agreement for Jeremiah Glisson as Interim City Manager.*
- 6.2 **SETTLEMENT AGREEMENT - MAIN BEACH SOJOURN, LLLP ET AL. - RESOLUTION 2024-106** APPROVING A SETTLEMENT AGREEMENT WITH MAIN BEACH SOJOURN, LLLP AND COMPASS GROUP, INC. REGARDING BUILDING PERMIT FEES CHARGED BY THE CITY IN 2019 FOR CONSTRUCTION OF TWO HOTELS ON ATLANTIC AVENUE; APPROVING A REFUND OF NON-UTILITY IMPACT FEES BASED ON OVERPAYMENTS DUE TO INACCURATE SQUARE FOOTAGE CALCULATIONS; APPROVING A BUDGET TRANSFER IN THE BUILDING DEPARTMENT FOR FISCAL YEAR 2023/2024; APPROVING BUDGET TRANSFERS FROM THE POLICE, FIRE AND PUBLIC ADMINISTRATION IMPACT FEE FUNDS FOR FISCAL YEAR 2023/2024; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the refund of non-utility impact fees and interest in the amount of \$68,167.72 overpaid by Compass Group, Inc. because the Hotels Project, when completed, included less square footage than the original building plans indicated, and refunding disputed building permit fees and interest in the amount of \$444,780.82.*
- 6.3 **SETTLEMENT AGREEMENT - JAKUSZEWSKI - RESOLUTION 2024-107** APPROVING THE MEDIATION SETTLEMENT AGREEMENT IN THE CASE OF SUSAN M. JAKUSZEWSKI V. CITY OF FERNANDINA BEACH IN THE AMOUNT OF \$67,000; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the mediated Settlement Agreement in the matter of Susan M. Jakuszewski v. City of Fernandina Beach in the amount of \$67,000.00.*
- 6.4 **SETTLEMENT AGREEMENT - GLENDA JONES - RESOLUTION 2024-108** APPROVING THE SETTLEMENT AGREEMENT IN THE CASE OF GLENDA JONES V. CITY OF FERNANDINA BEACH IN THE AMOUNT OF \$70,000; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Settlement Agreement in the matter of Glenda Jones v. City of Fernandina Beach in the amount of \$70,000.00.*
- 6.5 **DEED OF DEDICATION - GUM STREET - RESOLUTION 2024-109** ACCEPTING A DEED OF DEDICATION FROM W.R. HOWELL COMPANY FOR 0.46 ACRES OF VACANT LAND LOCATED ON GUM STREET TO ADD TO THE CITY'S CONSERVATION ACREAGE; REQUIRING THE DEED TO BE RECORDED; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts a 0.46 acre donation of land from W.R. Howell Company for conservation purposes.*
- 6.6 **GRANT APPLICATIONS - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND PIGGYBACK AGREEMENT APPROVAL WITH WOODWARD AND CURRAN INC. - RESOLUTION 2024-110** APPROVING THE PREPARATION AND SUBMISSION OF TWO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GRANT APPLICATIONS TO SATISFY STATUTORY WATER IMPROVEMENT REQUIREMENTS; APPROVING AN AGREEMENT WITH WOODWARD & CURRAN, INC. FOR ENGINEERING, DESIGN, AND GRANT PREPARATION SERVICES BY WAY OF PIGGYBACK AGREEMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes preparation and submission of applications to the Florida Department of Environmental Protection for two water quality improvement grants in Fiscal Year 2024/2025; and approves the proposal from Woodard & Curran, Inc. to provide engineering design and grant preparation services in*

an amount not to exceed \$27,000 by way of piggyback agreement to the City of Mascotte, Florida.

- 6.7 **RIGHT-OF-WAY USE PERMIT - BEACH ACCESS 40 - RESOLUTION 2024-111 GRANTING A RIGHT-OF-WAY USE PERMIT TO RICHARD AND CELESTE JACKSON AT BEACH ACCESS 40 FOR THE PURPOSE OF PLANTING FIVE CABBAGE PALM TREES ALONG THE EXISTING BOARDWALK AND RELOCATING SANITATION RECEPTACLES FOUR FEET TO THE EAST; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves a right-of-way use permit for the placement of five cabbage palm trees and allows the existing trash cans to be shifted four feet to the east of their current location at Beach Access 40, at the adjacent private property owner's expense.*
- 6.8 **AERONAUTICAL GROUND LEASE - FHB AIRCRAFT HANGARS 3, LLC - RESOLUTION 2024-112 APPROVING AN AERONAUTICAL GROUND LEASE WITH FHB AIRCRAFT HANGARS 3, LLC FOR PROPERTY LOCATED AT THE AIRPORT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves an aeronautical ground lease with FHB Hangars 3, LLC to construct a hangar facility on Airport property.*
- 6.9 **CHANGE ORDER APPROVAL AND BUDGET TRANSFER - ADUDELLE INDUSTRIES - RESOLUTION 2024-113 APPROVING ADUDELLE INDUSTRIES CHANGE ORDER NO. 1 FOR THE PECK CENTER GYMNASIUM ROOF SYSTEMS RESTORATION AND REPLACEMENT; APPROVING A BUDGET TRANSFER; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves Aduddell Industries Change Order No. 1 for the Peck Center Gymnasium roof systems restoration and approves a budget transfer in the amount of \$36,772.00 for Project #23060.*
- 6.10 **VOLUNTARY ANNEXATION AGREEMENT - 615 ROWLAND LANE - RESOLUTION 2024-114 APPROVING THE EXTENSION OF WATER AND WASTEWATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.53 ACRES OF LAND LOCATED AT 615 ROWLAND LANE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Authorizes the extension of water and wastewater services to the property owner identified whose property is located at 615 Rowland Lane, Parcel Number: 00-00-30-0660-0020-0000, and also approves the Voluntary Annexation Petition.*

7. ORDINANCE - FIRST READING

- 7.1 **CODE AMENDMENT - ART IN PUBLIC PLACES - ORDINANCE 2024-11 AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 70, STREETS, SIDEWALKS, AND PUBLIC PLACES, BY AMENDING ARTICLE III, ART IN PUBLIC PLACES, BY AMENDING SECTION 70-151 DEFINITIONS; BY AMENDING SECTION 70-152 PROGRAM ADMINISTRATION; AMENDING SECTION 70-153 OWNERSHIP AND MAINTENANCE; AMENDING SECTION 70-154 ART IN PUBLIC PLACES FUND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Moves administration of the Art in Public Places Program from Arts and Culture Nassau to a shared responsibility between the Parks & Recreation Advisory Committee and the Historic District Council.*

8. BOARD APPOINTMENTS

- 8.1 **FERNANDINA BEACH HOUSING AUTHORITY - One reappointment (Elaine Roberts).**

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

10. INTERIM CITY MANAGER REPORTS

11. **CITY ATTORNEY REPORTS**
12. **CITY CLERK REPORTS**
13. **MAYOR/COMMISSIONER COMMENTS**
14. **ADJOURNMENT**

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A “REQUEST TO SPEAK” FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - MULTI-MEDIA PRESENTATIONS MUST BE SUBMITTED TO THE CITY CLERK NO LATER THAN THE FRIDAY BEFORE THE MEETING.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
 - AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.
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Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).