



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
SEPTEMBER 15, 2015
6:00 P.M.
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 Noel Roberts of North 14th Street Baptist Church.

4. PROCLAMATION/PRESENTATIONS

4.1. PROCLAMATION - NATIONAL ESTUARIES WEEK

PROCLAMATION - NATIONAL ESTUARIES WEEK - *Proclaims September 19-26, 2015 as National Estuaries Week in the City of Fernandina Beach. A representative from the Guana Tolomato Matanzas National Estuarine Research Reserve in Ponte Vedra Beach may be present to accept the Proclamation.*

Documents: [Proclamation National Estuaries Week.pdf](#)

4.2. PROCLAMATION – CONSTITUTION WEEK

PROCLAMATION – CONSTITUTION WEEK - *Proclaims the week of September 17-23, 2015 as “Constitution Week”. Ms. Lucinda Jo Glenn, Regent of the Amelia Island Chapter of the Daughters of the American Revolution, will be present to accept the Proclamation.*

Documents: [Proclamation Constitution Week.pdf](#)

4.3. PROCLAMATION - PROFESSIONAL FIRE FIGHTERS LOCAL #2836 “FILL THE BOOT DAYS”

PROCLAMATION - PROFESSIONAL FIRE FIGHTERS LOCAL #2836 “FILL THE BOOT DAYS” – *Proclaims September 18th, September 25th and October 2nd, 2015 as Professional Fire Fighters Local #2836 “Fill the Boot Days”. Ms. Jasmyne Stanley of the Muscular Dystrophy Association and Fernandina Beach Fire Chief Ty Silcox will be in attendance to accept the Proclamation.*

Documents: [Proclamation Muscular Dystrophy Association.pdf](#)

4.4. PRESENTATION – COMMUNITY REDEVELOPMENT AREA (CRA) UPDATE
PRESENTATION – COMMUNITY REDEVELOPMENT AREA

(CRA) UPDATE – *CRA Advisory Board Chair Pro Tem Andrew Curtin will provide a Monthly Progress Update.*

Documents: [CRA Update.pdf](#)

4.5. **BUDGET SUMMARY**

BUDGET SUMMARY - *Controller Patti Clifford will answer any questions regarding the budget summary for August 2015.*

Documents: [Budget Summary.pdf](#)

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

6. **CONSENT AGENDA**

6.1. **AWARD OF BID # 15-04 – PRITCHETT TRUCKING, INC.**

AWARD OF BID # 15-04 – PRITCHETT TRUCKING, INC. – RESOLUTION 2015-131 AWARDING OF BID #15-04 TO PRITCHETT TRUCKING, INC. FOR THE 2015/2016 FISCAL YEAR FOR THE MAINTENANCE AND UTILITIES DEPARTMENTS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Awards annual Bid #15-04 to Pritchett Trucking, Inc. for the Maintenance and Utilities Departments for the 2015/2016 Fiscal Year.*

Documents: [Resolution 2015-131.pdf](#)

6.2. **IMPACT FEE WITHHOLDING – NASSAU HABITAT FOR HUMANITY**

IMPACT FEE WITHHOLDING – NASSAU HABITAT FOR HUMANITY - **RESOLUTION 2015-132 WITHHOLDING THE COLLECTION OF CITY ASSESSED IMPACT FEES FOR NASSAU HABITAT FOR HUMANITY, INC. FOR THE CONSTRUCTION OF ONE (1) AFFORDABLE HOUSING UNIT LOCATED AT 328 S. 10th STREET; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves Nassau Habitat for Humanity's application to withhold collection of City Impact Fees for Parks & Recreation, Public Facilities, Police and Fire, totaling \$2,892.24.*

Documents: [Resolution 2015-132.pdf](#)

6.3. **CITY MANAGER PRO TEM APPOINTMENT – D. MARSHALL MCCRARY**

CITY MANAGER PRO TEM APPOINTMENT – D. MARSHALL McCRARY – **RESOLUTION 2015-133 APPROVING THE APPOINTMENT OF D. MARSHALL MCCRARY AS CITY MANAGER PRO TEM; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Appoints D. Marshall McCrary as City Manager Pro Tem until such time as the City Commission shall appoint a full-time City Manager with an employment contract.*

Documents: [Resolution 2015-133.pdf](#)

6.4. **SEWER AND REFUSE FY 2014/2015 YEAR END PAYMENT**

SEWER AND REFUSE FY 2014/2015 YEAR END PAYMENT – RESOLUTION 2015-135 AUTHORIZING PAYMENT FOR THE APPROVED SEWER AND REFUSE EXEMPTION LIST FOR FISCAL YEAR 2014-2015; AND PROVIDING AN EFFECTIVE DATE. *Synopsis:*

Authorizes payment for 21 accounts in the total amount of \$14,000.52.

Documents: [Resolution 2015-135.pdf](#)

7. RESOLUTIONS

7.1. ALTERNATE PLAN FOR BEACH RENOURISHMENT FUNDING

ALTERNATE PLAN FOR BEACH RENOURISHMENT FUNDING
- RESOLUTION 2015-134 AUTHORIZING THE CITY TO PARTICIPATE IN A COST SHARING ARRANGEMENT WITH NASSAU COUNTY BASED UPON THE CORPS OF ENGINEERS', JACKSONVILLE DISTRICT, ALTERNATE PLAN FOR BEACH RENOURISHMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Corps of Engineers Jacksonville District Alternate Plan concept for beach renourishment as set forth in the "discussion paper" dated August 19, 2015.*

Documents: [Resolution 2015-134.pdf](#)

7.2. APPROVAL OF OUTSIDE LEGAL COUNSEL

APPROVAL OF OUTSIDE LEGAL COUNSEL – RESOLUTION
2015-136 AUTHORIZING THE CITY ATTORNEY TO ENGAGE QUALIFIED OUTSIDE LEGAL COUNSEL IN AN AMOUNT NOT TO EXCEED \$50,000 IN FISCAL YEAR 2015-2016 FOR LABOR ISSUES, CONFLICTS, CODE BOARD AND GENERAL ADVICE ON COMPLEX LEGAL MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the City Attorney to engage outside legal counsel in an amount not to exceed \$50,000.00 in FY 15/16.*

Documents: [Resolution 2015-136.pdf](#)

7.3. APPROVAL OF OUTSIDE LEGAL COUNSEL - PENSION PLAN REVIEW

APPROVAL OF OUTSIDE LEGAL COUNSEL - PENSION PLAN REVIEW - RESOLUTION 2015-137 AUTHORIZING QUALIFIED OUTSIDE LEGAL COUNSEL TO ASSIST THE CITY WITH EVALUATION AND POTENTIAL REFORMATION OF THE PENSION PLANS; AUTHORIZING EXECUTION OF ENGAGEMENT LETTER; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the City Attorney and City Manager to utilize the services of David C. Miller, Esquire (Florida Bar board-certified labor lawyer), and the law firm of Bryant, Miller & Olive, P.A. to assist the City with the evaluation and potential reformation of the City's Pension Plans.*

Documents: [Resolution 2015-137.pdf](#)

8. ORDINANCE - SECOND READING

8.1. ANNUAL PAY & CLASSIFICATION PLAN

ANNUAL PAY & CLASSIFICATION PLAN – ORDINANCE 2015-16
ESTABLISHING AN UPDATED CLASSIFICATION PLAN FOR FISCAL YEAR 2015-2016, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Establishes the Pay and Classification Plan for FY 2015/2016.*

Documents: [Ordinance 2015-16.pdf](#)

8.2. UTILITIES FEE SCHEDULE

UTILITIES FEE SCHEDULE – ORDINANCE 2015-14 REQUESTING A 3% INCREASE TO WATER AND SEWER RATES FOR THE OPERATION OF THE CITY’S WATER AND SEWER SYSTEM; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a 3% increase to water and wastewater rates from the 2014 rates.*

Documents: [Ordinance 2015-14.pdf](#)

8.3. CODE AMENDMENT – MOBILE FOOD VENDING

CODE AMENDMENT – MOBILE FOOD VENDING - ORDINANCE 2015-20 AMENDING SECTION 26-67 OF THE CODE OF ORDINANCES TO CLARIFY THAT FOOD BUSINESSES ESTABLISHED WITHIN THE CITY MAY PROVIDE MOBILE FOOD VENDING ON PRIVATE PROPERTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Amends Section 26-67 of the City Code pertaining to Mobile Food Vending.*

Documents: [Ordinance 2015-20.pdf](#)

8.4. CODE AMENDMENT – VEHICLES FOR HIRE

CODE AMENDMENT – VEHICLES FOR HIRE – ORDINANCE 2015-21 AMENDING THE CODE OF ORDINANCES CHAPTER 86, ARTICLE III, TITLED TAXICABS; AMENDING TITLE OF ARTICLE III TO VEHICLES FOR HIRE; AMENDING SECTION 86-90 REGARDING LEGISLATIVE PURPOSE; AMENDING SECTION 86-91, DEFINITIONS, BY CHANGING THE TERM TAXICAB TO VEHICLE FOR HIRE AND REPLACING THE TERM TAXICAB WITH VEHICLE FOR HIRE THROUGHOUT ARTICLE III; AMENDING SECTION 86-93 BY PROVIDING FOR PERMITS AND MEDALLIONS TO BE ISSUED BY CITY AND DISPLAYED BY DRIVERS; AMENDING SECTION 86-112 BY REQUIRING TRUTH IN ADVERTISING AND DISPLAY OF BUSINESS NAME ON ALL VEHICLES; AMENDING SECTION 86-116 BY PROVIDING THAT PERMIT HOLDERS AND DRIVERS CONVICTED OF CERTAIN CRIMES MAY HAVE CITY PERMIT REVOKED BY CITY; AMENDING SECTION 86-131 BY REQUIRING CITY TO BE NAMED AS ADDITIONAL INSURED ON LIABILITY INSURANCE; AMENDING SECTION 86-140 BY REQUIRING CERTAIN EQUIPMENT ON ALL VEHICLES FOR HIRE INCLUDING AIR CONDITIONING, SEATBELTS FOR DRIVER AND ALL PASSENGERS, AND FIRE EXTINGUISHERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Amends various sections of the City Code pertaining to Vehicles for Hire.*

Documents: [Ordinance 2015-21.pdf](#)

9. BOARD APPOINTMENTS

9.1. BOARD APPOINTMENT

CRA ADVISORY BOARD – 3 appointments.

Documents: [CRA Board Appointment.pdf](#)

10. DISCUSSION – DIRECTION – ACTION ITEMS

10.1. IMPACT FEES IMPACT FEES

Documents: [Discussion Action Item Impact Fees.pdf](#)

10.2. CHARTER OFFICER'S PERFORMANCE EVALUATIONS CHARTER OFFICERS' PERFORMANCE EVALUATIONS

Documents: [Charter Officers Performance Evaluations.pdf](#)

11. CITY MANAGER REPORTS

12. CITY ATTORNEY REPORTS

13. CITY CLERK REPORTS

14. MAYOR/COMMISSIONER COMMENTS

15. 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.
 - IN ACCORDANCE WITH STATE LAW, ITEMS NOT ON THE AGENDA MAY BE BROUGHT UP FOR DISCUSSION BUT NO ACTION MAY BE TAKEN BY THE CITY COMMISSION. IF APPROPRIATE THE ITEM MAY BE SCHEDULED ON A FUTURE AGENDA.
 - 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.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTION ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER 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.

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).