



***AMENDED AGENDA**
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
DECEMBER 1, 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 Wardell Avant of Kingdom Ministries Church.

4. OATH OF OFFICE

OATH OF OFFICE – CITY MANAGER DALE L. MARTIN - *City Clerk Caroline Best will administer the Oath of Office to City Manager Dale L. Martin.*

Documents: [Oath of Office - Dale L Martin.pdf](#)

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

6. CONSENT AGENDA

6.1. APPROVAL OF MINUTES

APPROVAL OF MINUTES – *Regular Meeting – October 6, 2015; Special Meeting – October 13, 2015; Regular Meeting – October 20, 2015; Special Meeting – November 4, 2015; Regular Meeting – November 4, 2015.*

Documents: [Minutes Summary.pdf](#), [October 6 Regular Meeting.pdf](#), [October 13 Special Meeting.pdf](#), [October 20 Regular Meeting.pdf](#), [November 4 Special Meeting.pdf](#), [November 4 Regular Meeting.pdf](#)

6.2. ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE
ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE - RESOLUTION 2015-83 ESTABLISHING THE FERNANDINA BEACH YOUTH ADVISORY COMMITTEE;
PROVIDING FOR ITS CREATION AND PURPOSE; PROVIDING FOR APPOINTMENT OF MEMBERS; TERMS; PROVIDING FOR REMOVAL OF MEMBERS; PROVIDING FOR STAFFING; PROVIDING FOR MEETINGS; PROVIDING DUTIES; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Establishes the Fernandina Beach Youth Advisory Committee.*

Documents: [Resolution 2015-83.pdf](#)

6.3. SEWER AND REFUSE EXEMPTION FOR FY 2015/2016

SEWER AND REFUSE EXEMPTION FOR FY 2015/2016 – RESOLUTION 2015-163 APPROVING ONE (1) ADDITIONAL APPLICATION FOR CITY SEWER AND REFUSE EXEMPTION FOR FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves one (1) additional application for exemption of payment for City Sewer and Refuse costs for the months of October 1, 2015 through September 30, 2016.*

Documents: [Resolution 2015-163.pdf](#)

6.4. BACKHOE PURCHASE – STREETS / PARKS DEPARTMENT

BACKHOE PURCHASE – STREETS / PARKS DEPARTMENT – RESOLUTION 2015-164 APPROVING THE PURCHASE OF ONE (1) 2015 CATERPILLAR 420FTIT BACKHOE FOR \$99,558 FOR THE STREETS/PARKS DIVISION THROUGH THE FLORIDA SHERIFF'S ASSOCIATION BID AWARD (#15-13-0904); AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the purchase of one (1) 2015 Caterpillar 420F2 IT backhoe for the Streets/Parks Division through the Florida Sheriff's Association Bid Award #15-13-0904.*

Documents: [Resolution 2015-164.pdf](#)

6.5. BUDGET AMENDMENT – POLICE DEPARTMENT

BUDGET AMENDMENT – POLICE DEPARTMENT – RESOLUTION 2015-165 APPROVING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR 2015-2016; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of funds within the Federal Forfeiture Fund to the proper general ledger account.*

Documents: [Resolution 2015-165.pdf](#)

6.6. BUDGET & CAPITAL IMPROVEMENT PLAN AMENDMENT – MARINA

BUDGET & CAPITAL IMPROVEMENT PLAN AMENDMENT – MARINA – RESOLUTION 2015-166 APPROVING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR 2015-2016 AND THE FIVE YEAR CAPITAL IMPROVEMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of funds to adjust the Marina Grant revenue account, the Professional Services account and Improvements account and amends the City's Five Year Capital Improvement Plan to reflect the budgeted project costs.*

Documents: [Resolution 2015-166.pdf](#)

6.7. LABOR AGREEMENT – UNITED BROTHERHOOD OF CARPENTERS AND JOINERS, LOCAL 2044

LABOR AGREEMENT – UNITED BROTHERHOOD OF CARPENTERS AND JOINERS, LOCAL 2044 RESOLUTION 2015-167 APPROVING THE LABOR AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND THE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS, LOCAL 2044 FOR THE PERIOD OF OCTOBER 1, 2015 TO SEPTEMBER 30, 2018; PROVIDING FOR

EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Synopsis: Approves the labor agreement with the United Brotherhood of Carpenters and Joiners, Local 2044, for the period of October 1, 2015 through September 30, 2018, which shall be retroactive to October 1, 2015.

Documents: [Resolution 2015-167.pdf](#)

- 6.8. **PURCHASE AND SALE AGREEMENT – FRONT STREET GLAD, LLC
PURCHASE AND SALE AGREEMENT – FRONT STREET GLAD,
LLC - RESOLUTION 2015-168 APPROVING A PURCHASE AND
SALE AGREEMENT WITH FRONT STREET GLAD, LLC FOR THE
CITY PURCHASE OF PROPERTY LOCATED ON THE RIVERFRONT
NORTH OF CENTRE STREET; AUTHORIZING EXECUTION; AND
PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves the
Purchase and Sale Agreement with Front Street Glad, LLC for the
property located on the riverfront north of the City Marina and Centre
Street for the purchase price of \$685,000.*

Documents: [Resolution 2015-168.pdf](#)

7. RESOLUTIONS

- 7.1. ***SUPPORTING OCEAN, HIGHWAY AND PORT AUTHORITY CITIZEN-PROPOSED
CHARTER CHANGES
RESOLUTION 2015-169 SUPPORTING MODERNIZATION OF THE
CHARTER OF THE OCEAN, HIGHWAY, AND PORT AUTHORITY
WHO OPERATES THE PORT OF FERNANDINA, SPECIFICALLY
WITH REGARD TO PREEMPTION OF LOCAL LAWS AND EMINENT
DOMAIN POWERS; AND PROVIDING FOR AN EFFECTIVE DATE.**
*Synopsis; Supports changes to the Ocean, Highway and Port Authority Charter
regarding preemption of local laws and eminent domain.*

Documents: [Res 2015-169.pdf](#)

8. ORDINANCES – FIRST READING

- 8.1. **AMELIA ISLAND BEACH RENOURISHMENT MUNICIPAL SERVICE TAXING UNIT
(MSTU) CONSENT
AMELIA ISLAND BEACH RENOURISHMENT MUNICIPAL
SERVICE TAXING UNIT (MSTU) CONSENT – ORDINANCE 2015-
34 ADOPTED PURSUANT TO SECTION 125.01(1)(Q), FLORIDA
STATUTES (2015) CONSENTING TO THE INCLUSION OF THE
ENTIRE MUNICIPAL BOUNDARIES OF THE CITY OF
FERNANDINA BEACH WITHIN THE AMELIA ISLAND BEACH
RENOURISHMENT MUNICIPAL SERVICE TAXING UNIT AS
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Consents to
the inclusion of the entire municipal boundaries of the City of
Fernandina Beach in the Amelia Island Beach Renourishment MSTU.*

Documents: [Ordinance 2015-34.pdf](#)

9. ORDINANCES – SECOND READING

- 9.1. **CODE AMENDMENT – IMPACT FEES
CODE AMENDMENT – IMPACT FEES - ORDINANCE 2015-26**

UPDATING ORDINANCE 2005-2 AND AMENDING THE CODE OF ORDINANCES CHAPTER 2, ARTICLE VII, FINANCE, DIVISION 3, POLICE, FIRE, SANITATION, PARKS AND RECREATION IMPACT FEES AND TRUST FUNDS BY UPDATING AND APPROVING A REASONABLE METHODOLOGY AND ANALYSIS FOR THE DETERMINATION OF THE IMPACT OF NEW DEVELOPMENT ON THE NEED FOR AND COST FOR SERVICES; REPEALING SECTION 2-451 IN ITS ENTIRETY AND ADOPTING A NEW SECTION 2-451, LEGISLATIVE FINDINGS; REPEALING SECTION 2-463 IN ITS ENTIRETY AND ADOPTING A NEW SECTION 2-463, REVIEW OF IMPACT FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Amends various sections of the City Code pertaining to impact fees.*

Documents: [Ordinance 2015-26.pdf](#)

9.2. CODE AMENDMENT – PRIVATE ENCROACHMENTS INTO PUBLIC BEACH ACCESSES

CODE AMENDMENT – PRIVATE ENCROACHMENTS INTO PUBLIC BEACH ACCESSES - ORDINANCE 2015-27 AMENDING THE CODE OF ORDINANCES CHAPTER 70, ARTICLE I, TITLED IN GENERAL, SECTION 70-2 REGARDING ENCROACHMENTS IN THE PUBLIC RIGHT-OF-WAY BY PROVIDING FOR COMMISSION REVIEW AND APPROVAL PRIOR TO PRIVATE ENCROACHMENTS BEING PLACED IN PUBLIC BEACH ACCESSES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Amends Chapter 70 of the City Code pertaining to private encroachments in the public right-of-way.*

Documents: [Ordinance 2015-27.pdf](#)

9.3. CODE AMENDMENT – ANIMAL CONTROL

CODE AMENDMENT – ANIMAL CONTROL – ORDINANCE 2015-28 AMENDING CHAPTER 18, ARTICLE IV, IMPOUNDMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 18-24 BY CLARIFYING THAT DAYS ARE COUNTED AS CALENDAR DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 18 of the City Code pertaining to animal control.*

Documents: [Ordinance 2015-28.pdf](#)

9.4. LAND DEVELOPMENT CODE AMENDMENT – SIGNS

LAND DEVELOPMENT CODE AMENDMENT – SIGNS – ORDINANCE 2015-29 AMENDING THE LAND DEVELOPMENT CODE, DELETING CHAPTER 5 SECTION 5.03.07 IN ITS ENTIRETY, REVISING CHAPTER 5 SECTION 5.03.05 TO CORRECT CROSS-REFERENCES, AND ADDING A NEW SUBCHAPTER 5.04.00, TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 5 of the Land Development Code pertaining to signs.*

Documents: [Ordinance 2015-29.pdf](#)

9.5. LAND DEVELOPMENT CODE AMENDMENT – COMPLETENESS & SUFFICIENCY DETERMINATION

**LAND DEVELOPMENT CODE AMENDMENT –
COMPLETENESS & SUFFICIENCY DETERMINATION -
ORDINANCE 2015-30 AMENDING THE LAND DEVELOPMENT
CODE, REVISING CHAPTER 11 SECTION 11.03.01 TO INCLUDE A
SUFFICIENCY REVIEW PROCESS AND SECTION 11.07.01 TO
PROVIDE FOR AN APPEAL PROCEDURE; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
*Synopsis: Amends Chapter 11 of the Land Development Code pertaining
to the sufficiency review process and appeal procedure.***

Documents: [Ordinance 2015-30.pdf](#)

10. BOARD APPOINTMENTS

10.1. PARKS AND RECREATION ADVISORY COMMITTEE PARKS & RECREATION ADVISORY COMMITTEE – 2 appointments.

Documents: [P and R Advisory Committee Summary.pdf](#), [Application - Joy Behan.pdf](#), [Application - Barbara O Conner.pdf](#), [Application - Guy Robertson.pdf](#)

11. DISCUSSION – DIRECTION – ACTION ITEMS

11.1. AIRPORT USE – 2016 AMELIA ISLAND CONCOURS D'ELEGANCE AIRPORT USE – 2016 AMELIA ISLAND CONCOURS D'ELEGANCE

Documents: [Airport Use-2016 Amelia Island Concours D Elegance.pdf](#)

12. CITY MANAGER REPORTS

13. CITY ATTORNEY REPORTS

14. CITY CLERK REPORTS

15. MAYOR/COMMISSIONER COMMENTS

16. 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).