



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
FEBRUARY 15, 2022
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 of the Prince Chapel AME Church

4. PROCLAMATION / PRESENTATION

4.1 **PROCLAMATION - MAYOR RONALD (RON) SAPP** - *Recognizes former Mayor, Vice Mayor, and Commissioner Ronald (Ron) Sapp for his extensive civic service and unwavering commitment to the betterment of the City of Fernandina Beach.*

4.2 **PRESENTATION - POLICE DEPARTMENT** - *Chief Foxworth will introduce recently hired Sworn Officers Jim Laughlin, Augustine Passante, Ryan Springer and Staff Assistant Agnes White.*

4.3 **BUDGET SUMMARY** - *Comptroller Pauline Testagrose will answer any questions regarding the budget summary for January 2022.*

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

6. CONSENT AGENDA

6.1 **FACILITIES USE AGREEMENT - HAGERTY EVENTS, LLC** - RESOLUTION 2022-29 APPROVING A FACILITIES USE AGREEMENT WITH HAGERTY EVENTS, LLC, FOR THE USE OF AIRPORT PROPERTY IN CONJUNCTION WITH "THE AMELIA" AUTO EVENT IN MARCH 2022; 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 2022.*

6.2 **MEMORANDUM OF AGREEMENT - FLORIDA ARMY NATIONAL GUARD** - RESOLUTION 2022-30 APPROVING A MEMORANDUM OF AGREEMENT FOR THE 2-111TH REGIMENT, AIRFIELD OPERATIONS BATTALION, FLORIDA ARMY NATIONAL GUARD TO PROVIDE TEMPORARY TOWER AIR TRAFFIC CONTROL SERVICES AT THE FERNANDINA BEACH MUNICIPAL AIRPORT DURING "THE AMELIA" AUTO EVENT IN MARCH 2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves*

the Memorandum of Agreement for the 2-111th Regiment, Airfield Operations Battalion, Florida Army National Guard to provide Temporary Tower Air Traffic Control Services at the Fernandina Beach Municipal Airport during "The Amelia" auto events in 2022.

- 6.3 **SOLE SOURCE VENDOR APPROVAL - FREEMAN WELL DRILLERS, INC. - RESOLUTION 2022-31** APPROVING FREEMAN WELL DRILLERS, INC. AS A SOLE SOURCE VENDOR AND A WATER DEPARTMENT BUDGET TRANSFER IN FISCAL YEAR 2021/2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Freeman Well Drillers, Inc. as a sole source vendor in an amount not to exceed \$68,880, and approves a Water Department budget transfer in Fiscal Year 2021/2022.*
- 6.4 **SOLE SOURCE VENDOR APPROVAL - HANDI HOUSE OF YULEE - RESOLUTION 2022-32** APPROVING HANDI HOUSE OF YULEE AS A SOLE SOURCE VENDOR IN FISCAL YEAR 2021/2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Handi House of Yulee as a sole source vendor for Fiscal Year 2021/2022 for the purchase of a covered structure for the sludge press drying bed.*
- 6.5 **MEMORANDUM OF UNDERSTANDING - NASSAU COUNTY - RESOLUTION 2022-33** APPROVING A MEMORANDUM OF UNDERSTANDING WITH NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS TO APPLY FOR, AND SHARE, A FIRE SAFETY AND PREVENTION TRAILER; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Memorandum of Understanding with Nassau County Board of County Commissioners to jointly apply for a grant to share a Fire Safety and Prevention trailer.*

7. RESOLUTIONS

- 7.1 **MEMORANDUM OF UNDERSTANDING - NORTHEAST FLORIDA PUBLIC EMPLOYEES, LOCAL 630, LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO-CLC - RESOLUTION 2022-34** APPROVING A MEMORANDUM OF UNDERSTANDING TO AMEND THE AGREEMENT WITH THE NORTHEAST FLORIDA PUBLIC EMPLOYEES, LOCAL 630, LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO-CLC; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves an Amendent to the Labor Agreement between the City of Fernandina Beach and LIUNA.*
- 7.2 **BUDGET TRANSFER - PLAYGROUND EQUIPMENT - RESOLUTION 2022-35** APPROVING A BUDGET TRANSFER IN THE AMOUNT OF \$100,000 FROM THE GENERAL FUND INTO THE CAPITAL IMPROVEMENTS FUND FOR FISCAL YEAR 2021/2022; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a transfer from the General Fund Contingency account into the Capital Improvements Fund to purchase Central Park playground equipment.*
- 7.3 **VOLUNTARY ANNEXATION AGREEMENT - 1314 S. 5TH STREET - RESOLUTION 2022-36** APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.23 ACRES OF LAND LOCATED AT 1314 S. 5TH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property owners identified whose property is located at 1314 S. 5th Street: Parcel Number: 00-00-31-1800-0192-0020 and also approves the Voluntary Annexation Petition.*
- 7.4 **CITY VISION AND MISSION STATEMENTS - RESOLUTION 2022-37** APPROVING THE CITY'S 2045 VISION AND MISSION STATEMENTS AS RECOMMENDED BY THE PLANNING ADVISORY BOARD. *Synopsis: Approves the revised City vision and mission statements as part of Vision 2045.*

- 7.5 **GRANT APPLICATION - FLORIDA INLAND NAVIGATION DISTRICT (FIND) - RESOLUTION 2022-38 REQUESTING ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) WATERWAYS ASSISTANCE PROGRAM FOR FERNANDINA HARBOR MARINA MAINTENANCE DREDGING; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Requests financial assistance under the Florida Inland Navigation District (FIND) Waterways Assistance Program for dredging of the Fernandina Harbor Marina.*
- 7.6 **FACILITIES USE AGREEMENT - COALITION FOR THE HOMELESS NASSAU COUNTY, INC. - RESOLUTION 2022-39 APPROVING A FACILITIES USE AGREEMENT WITH COALITION FOR THE HOMELESS OF NASSAU COUNTY, INC TO USE THE MLK RECREATION CENTER PATRICIA A. THOMPSON AUDITORIUM FOR EMERGENCY COLD WEATHER SHELTERS IN 2022, 2023, AND 2024; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves a Facilities Use Agreement with the Coalition for the Homeless Nassau County, Inc., to provide cold-weather emergency shelter on an as-needed basis for three years.*
- 7.7 **CHANGE ORDER - SCHERER CONSTRUCTION OF NORTH FLORIDA LLC - RESOLUTION 2022-40 APPROVING CHANGE ORDERS 1, 2, 3, 4, AND 5 WITH SCHERER CONSTRUCTION OF NORTH FLORIDA, LLC FOR FERNANDINA BEACH MUNICIPAL AIRPORT NEW HANGAR CONSTRUCTION PROJECT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves Scherer Construction of North Florida, LLC Change Orders 1, 2, 3, 4 and 5 related to the Fernandina Beach Municipal Airport Hangar Construction Project and authorizes increasing the Project cost by \$15,323.00 for a total project cost of \$1,180,168.62.*
- 7.8 **MARINA ADVISORY BOARD - MEETING SCHEDULE AND TERMS OF OFFICERS - RESOLUTION 2022-41 AMENDING RESOLUTION 2018-128 BY REVISING THE MARINA ADVISORY BOARD MEETING SCHEDULE AND TERMS OF OFFICERS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Amends the Marina Advisory Board Meeting schedule and terms of officers.*

8. ORDINANCE - SECOND READING

- 8.1 **HISTORIC DISTRICT BOUNDARY EXPANSION - ORDINANCE 2022-01 EXPANDING THE BOUNDARY OF THE HISTORIC DISTRICT TO INCLUDE PROPERTIES LOCATED ON S. 9TH STREET, BEECH STREET, AND N. 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Property owners of parcels located at 202 S. 9th Street (Macedonia AME Church), 801 Beech Street, 815 Beech Street, 121 S. 9th Street (Nassau Trust, LLC), and 101 N. 2nd Street (IP Holdings, LLC) have requested to be included in the local downtown historic district.*
- 8.2 **LAND DEVELOPMENT CODE AMENDMENT - VARIOUS MINOR AMENDMENTS - ORDINANCE 2022-03 AMENDING THE LAND DEVELOPMENT CODE (LDC) WITH MINOR AMENDMENTS TO ADDRESS ERRORS, OMISSIONS AND CORRECTIONS BY AMENDING SECTION 1.03.05 CONSTRUCTION OR DEMOLITION OF STRUCTURES ON COMBINED LOTS TO ADDRESS PROCEDURAL REQUIREMENTS FOR SEEKING A VARIANCE; AMENDING SECTION 1.07.00 DEFINITION OF VARIANCE; AMENDING SECTION 2.03.02 ADDING CEMETERIES AS PERMISSIBLE WITHIN RECREATIONAL ZONING DISTRICTS, ADDING HEALTH CLUBS AND GYMS AS PERMISSIBLE IN C-1 ZONING DISTRICT, ADDING MUSIC, DANCING, PHOTOGRAPHY, OR ART STUDIOS AS PERMISSIBLE IN C-1 ZONING DISTRICT; AMENDING SECTION 4.05.12 TO INCLUDE REFERENCE FOR PORT BUFFER REQUIREMENTS CONSISTENT WITH THE COMPREHENSIVE PLAN; AMENDING SECTION**

5.01.03 CLARIFYING ACCESSORY STRUCTURE SETBACKS TO INCLUDE FRONT YARD SETBACK MEASUREMENT; AMENDING SECTION 5.01.05 TO CLARIFY THE MEASUREMENT OF FENCES AND WALLS; AMENDING SECTION 5.01.07 ALLOWING FOR VINYL DUMPSTER ENCLOSURES AND ADDING AN EXEMPTION FOR INDUSTRIAL USES ON I-2 ZONED PROPERTIES; AMENDING SECTION 6.02.04 CLARIFYING SUPPLEMENTAL STANDARDS FOR MOTORIZED VEHICLE SALES WITHIN THE MU-8 ZONING DISTRICT; AMENDING SECTION 7.01.04(A) FOOTNOTE 2 TO REFERENCE TO CRA PARKING STANDARDS; AMENDING SECTION 8.01.02(D) TO REFERENCE PREVIOUSLY CORRECTED PARKING STANDARDS WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA); AMENDING SECTION 11.02.01 TO PROVIDE ADDITIONAL NOTICE REQUIREMENTS FOR CERTAIN APPLICATIONS; AMENDING 11.02.03 EXPANDING MAILED NOTICE REQUIREMENTS TO 500 FEET; AMENDING 11.07.01 CLARIFYING APPEALS OF ADMINISTRATIVE DECISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.. *Synopsis: Amend the Land Development Code for various minor amendments to address errors, omissions and corrections.*

- 8.3 **LAND DEVELOPMENT CODE AMENDMENT - TREE PROTECTION AND LANDSCAPE REQUIREMENTS** - ORDINANCE 2022-04 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY UPDATING TREE PROTECTION AND LANDSCAPE REQUIREMENTS BY AMENDING SECTION 4.05.03 LANDSCAPE REQUIREMENTS, AMENDING SECTION 4.05.05 MINIMUM REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT, AMENDING SECTION 4.05.10 STANDARDS FOR RETENTION AND DETENTION PONDS, CREATING SECTION 4.05.16 ESTABLISHING A TREE FUND; CREATING SECTION 10.03.01(C) ADMINISTRATIVE WAIVERS FOR TREE PROTECTION, AMENDING SECTION 11.05.03 INSTALLATION AND MAINTENANCE GUARANTEES FOR LANDSCAPING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts additional amendments to the City's tree protection and landscape ordinances.*
- 8.4 **LAND DEVELOPMENT CODE AMENDMENT - MOBILE FOOD VENDING "FOOD TRUCKS"** - ORDINANCE 2022-05 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY ADDING STANDARDS FOR MOBILE FOOD VENDING UNITS OR "FOOD TRUCKS" BY AMENDING LDC SECTION 1.07.00 DEFINITIONS, AMENDING SECTION 2.03.02 ADDING MOBILE FOOD TRUCK PARK AS A USE SUBJECT TO SUPPLEMENTAL STANDARDS; AMENDING SECTION 6.02.24 ADDING SUPPLEMENTAL STANDARDS FOR MOBILE FOOD VENDING PARKS AND RENUMBERING SECTIONS 6.02.25 THROUGH 6.02.33, INCLUDING TABLES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Provides standards for mobile food vending in the Land Development Code.*
- 8.5 **LAND DEVELOPMENT CODE AMENDMENT - ENCROACHMENT** - ORDINANCE 2022-06 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY AMENDING SECTION 1.07.00 ADDING DEFINITIONS FOR DECKS, BALCONIES, AND PORCHES; AMENDING SECTION 4.02.03 (A), ADDING A REAR YARD PORCH ENCROACHMENT ALLOWANCE AND CLARIFYING DECK SETBACKS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adds definitions in Land Development Code Section 1.07.00 for decks, balconies, and porches and amends Section 4.02.03 (a) adding a porch encroachment allowance and clarifying deck setbacks.*
- 8.6 **LAND DEVELOPMENT CODE AMENDMENT - OLD TOWN DESIGN STANDARDS** - ORDINANCE 2022-07 AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 8.01.01.02 TO CLARIFY SPECIFIC ALLOWANCES FOR DEVELOPMENT OF CONNECTING ELEMENTS WITHIN SIDE YARD CORRIDORS IN OLD TOWN; PROVIDING FOR

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Old Town Design Standards in Sections 8.01.01.02 (C)(3) and (J) to clarify specific allowances for the development of connecting elements in side yard corridors.*

9. CITY MANAGER REPORTS

10. CITY ATTORNEY REPORTS

11. CITY CLERK REPORTS

12. MAYOR/COMMISSIONER COMMENTS

13. 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).