



AGENDA  
FERNANDINA BEACH CITY COMMISSION  
REGULAR MEETING  
DATE FEBRUARY 16, 2016  
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 James Tippins, Senior Chaplain of Baptist Medical Center Nassau.*

4. PROCLAMATION / PRESENTATION

4.1. PROCLAMATION - AMELIA ISLAND BOOK FESTIVAL

**PROCLAMATION - AMELIA ISLAND BOOK FESTIVAL -**

*Recognizes the Amelia Island Book Festival board members, organizers and volunteers for their outstanding contributions toward promoting literacy and a lifelong love of reading to residents of all ages in Fernandina Beach and Nassau County. Ms. Raffaella Marie Rizzo Fenn, Volunteer President, will be present to accept the Proclamation. This Proclamation is placed on the agenda at the request of the Honorable Vice-Mayor Robin C. Lentz.*

**Documents:** [Proclamation Amelia Island Book Festival.pdf](#)

4.2. PRESENTATION – COMMUNITY REDEVELOPMENT AREA (CRA) UPDATE

**PRESENTATION – COMMUNITY REDEVELOPMENT AREA (CRA) UPDATE – CRA Advisory Board Chair Arlene Filkoff will provide a Monthly Progress Update.**

**Documents:** [Presentation CRA Update.pdf](#)

4.3. PRESENTATION – FERNANDINA BEACH MAIN STREET PROGRAM

**PRESENTATION – FERNANDINA BEACH MAIN STREET**

**PROGRAM - Mr. Jeff Kurtz of Fernandina Beach Main Street will provide a synopsis of projects occurring within each of the four Main Street Councils (Promotions, Economic Restructuring, Organization, and Promotion).**

**Documents:** [Presentation- Main Street Program.pdf](#)

4.4. BUDGET SUMMARY

**BUDGET SUMMARY - Controller Patti Clifford will answer any questions regarding the budget summary for November 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. **SOLE SOURCE PURCHASE APPROVAL – TRINITY ELECTRICAL SERVICES, INC**  
**SOLE SOURCE PURCHASE APPROVAL – TRINITY ELECTRICAL SERVICES, INC.** - RESOLUTION 2016-16 APPROVING PURCHASES THAT WILL EXCEED \$20,000 FROM TRINITY ELECTRICAL SERVICES, INC. FOR FISCAL YEAR 2015/2016; APPROVING TRINITY ELECTRICAL SERVICES, INC. AS A SOLE SOURCE PROVIDER FOR RUNWAY, TAXIWAY, AND SAFETY EQUIPMENT REPAIRS IN FY 2015/2016; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Trinity Electrical Services, Inc. as a sole source vendor for lights, signs and safety equipment to runways and taxiways in excess of \$20,000 in FY 2015/2016.*

Documents: [Resolution 2016-16.pdf](#)

- 6.2. **SOLE SOURCE PURCHASE APPROVAL – R & R PRODUCTS**  
**SOLE SOURCE PURCHASE APPROVAL – R & R PRODUCTS -** RESOLUTION 2016-17 APPROVING THE PURCHASE OF GOLF EQUIPMENT VIA A SOLE SOURCE IN FISCAL YEAR 2015/2016; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves R & R Products, Inc. as a sole source vendor for the purchase of propane equipment in an amount not to exceed \$40,000.*

Documents: [Resolution 2016-17.pdf](#)

- 6.3. **FACILITIES USE AGREEMENT - TEAM FERNANDINA STINGRAYS**  
**FACILITIES USE AGREEMENT - TEAM FERNANDINA STINGRAYS** - RESOLUTION 2016-18 APPROVING THE FACILITIES USE AGREEMENT FOR YOUTH SPORTS LEAGUES BETWEEN THE CITY OF FERNANDINA BEACH AND TEAM FERNANDINA STINGRAYS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Facilities Use Agreement with Team Fernandina Stingrays.*

Documents: [Resolution 2016-18.pdf](#)

7. RESOLUTIONS

- 7.1. **BUDGET AMENDMENT – COMMUNITY DEVELOPMENT DEPARTMENT**  
**BUDGET AMENDMENT – COMMUNITY DEVELOPMENT DEPARTMENT** - RESOLUTION 2016-19 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of funds from the Code Enforcement Part-time account to the Code Enforcement Salaries account.*

Documents: [Resolution 2016-19.pdf](#)

- 7.2. **BUDGET AMENDMENT – FIRE DEPARTMENT**  
**BUDGET AMENDMENT – FIRE DEPARTMENT - RESOLUTION**

**BUDGET AMENDMENT – FIRE DEPARTMENT - RESOLUTION**  
2016-20 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of funds from the Capital Improvement Fund's Interest and Reserve accounts to the Capital Improvement Fund's Principal account for fire truck financing.*

**Documents:** [Resolution 2016-20.pdf](#)

7.3. **BUDGET AMENDMENT – FIRE DEPARTMENT**

**BUDGET AMENDMENT – FIRE DEPARTMENT - RESOLUTION**  
2016-21 APPROVING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves an amendment to the budget increasing the General Fund Other Revenue account and increasing various Fire Department salary related accounts.*

**Documents:** [Resolution 2016-21.pdf](#)

- 7.4. **AGREEMENT APPROVAL - FIRST SOUTHWEST ASSET MANAGEMENT, LLC**  
**AGREEMENT APPROVAL - FIRST SOUTHWEST ASSET MANAGEMENT, LLC - RESOLUTION** 2016-22 AUTHORIZING AN AGREEMENT WITH FIRST SOUTHWEST ASSET MANAGEMENT, LLC TO PROVIDE ARBITRAGE AND REBATE CALCULATION SERVICES FOR THE CITY'S BONDS AND NOTES; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Agreement with First Southwest Asset Management, LLC to continue ensured compliance with the arbitrage and rebate rules relating to the City's bonds.*

**Documents:** [Resolution 2016-22.pdf](#)

7.5. **AWARD OF BID # 15-06 – R.C. SYSTEMS, INC**

**AWARD OF BID # 15-06 – R.C. SYSTEMS, INC. – RESOLUTION**  
2016-23 AWARDED BID # 15-06 TO R.C. SYSTEMS, INC. FOR THE PURCHASE AND INSTALLATION OF RECPRO SOFTWARE FOR THE PARKS & RECREATION DEPARTMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Awards Bid # 15-06 to R.C. Systems, Inc. in the amount of \$16,250.00 for the purchase and installation of ReCPro, a Recreation Management Software.*

**Documents:** [Resolution 2016-23.pdf](#)

8. **ORDINANCES – FIRST READING**

- 8.1. **LAND DEVELOPMENT CODE AMENDMENT – LAND USE DEFINITIONS**  
**LAND DEVELOPMENT CODE AMENDMENT – LAND USE DEFINITIONS - ORDINANCE** 2016-03 AMENDING THE LAND DEVELOPMENT CODE SPECIFIC TO LAND USE DEFINITIONS AS CONTAINED IN CHAPTER 1, SECTION 1.07.00, AND CHAPTER 2, SECTION 2.03.02; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to Land Use Definitions.*

**Documents:** [Ordinance 2016-03.pdf](#)

8.2. **CODE AMENDMENT - VEHICLES FOR HIRE**

## 8.2. CODE AMENDMENT – VEHICLES FOR HIRE

### **CODE AMENDMENT – VEHICLES FOR HIRE - ORDINANCE**

2016-04 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 DEFINING TYPES OF VEHICLES FOR HIRE; AMENDING SECTION 86-112 BY REMOVING AND AMENDING SIGN REQUIREMENTS; AMENDING SECTION 86-136 BY REQUIRING TAXICABS TO POST RATE SCHEDULES CONSPICUOUSLY IN VEHICLES; AMENDING SECTION 86-140 BY REMOVING THE REQUIREMENT FOR LEATHER, VINYL, OR SOME SIMILAR NONABSORBENT FABRIC UPHOLSTERY WHICH CAN BE EASILY CLEANED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *Synopsis: Amends various sections of the City Code pertaining to Vehicles for Hire.*

Documents: [Ordinance 2016-04.pdf](#)

## 9. ORDINANCES – SECOND READING

### 9.1. LAND DEVELOPMENT CODE TEXT AMENDMENT – TREE PROTECTION & LANDSCAPE REQUIREMENTS

LAND DEVELOPMENT CODE TEXT AMENDMENT – TREE PROTECTION & LANDSCAPE REQUIREMENTS – **ORDINANCE 2015-36 AMENDING THE LAND DEVELOPMENT CODE SPECIFIC TO TREE PROTECTION AND LANDSCAPE REQUIREMENTS AS CONTAINED IN CHAPTER 1, SECTION 1.07.00, CHAPTER 4, SECTION 4.05.00, AND CHAPTER 11.04.08; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** *Synopsis: Approves and adopts modifications to the Land Development Code pertaining to tree protection and landscape requirements.*

Documents: [Ordinance 2015-36.pdf](#)

## 10. BOARD APPOINTMENT

### 10.1. BOARD OF ADJUSTMENT

**BOARD OF ADJUSTMENT** – *1 appointment.*

Documents: [Board of Adjustment Appointment.pdf](#)

### 10.2. GREENS & OVERSIGHT COMMITTEE

**GREENS & OVERSIGHT COMMITTEE** – *1 appointment.*

Documents: [Greens and Oversight Appointment.pdf](#)

### 10.3. PARKS & RECREATION ADVISORY COMMITTEE

**PARKS & RECREATION ADVISORY COMMITTEE** – *1 appointment.*

Documents: [Parks and Recreation Appointment.pdf](#)

## 11. DISCUSSION – DIRECTION – ACTION ITEMS

### 11.1. CITY ATTORNEY EMPLOYMENT AGREEMENT / PERFORMANCE EVALUATION CITY ATTORNEY EMPLOYMENT AGREEMENT / PERFORMANCE

EVALUATION – *This item is placed on the agenda at the request of Vice Mayor Lentz.*

**Documents:** [Discussion -City Attorney Employment Agreement and Performance Evaluation.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.
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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).

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: Proclamation  
Amelia Island Book Festival

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Presentation**

SYNOPSIS: Attached is a Proclamation recognizing the Amelia Island Book Festival board members, organizers and volunteers for their outstanding contributions toward promoting literacy and a lifelong love of reading to residents of all ages in Fernandina Beach and Nassau County. This Proclamation is placed on the agenda at the request of the Honorable Vice-Mayor Robin C. Lentz.

Ms. Raffaella Marie Rizzo Fenn, Volunteer President, will be present to accept the Proclamation.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

DEPARTMENT DIRECTOR	Submitted by: Caroline Best <i>CBest</i> City Clerk	Date: 1/29/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 02/16/2016 <i>DLM</i>	Date: 2/5/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

# Proclamation

**WHEREAS**, in 2000, a group of civic minded residents believed that the gift of reading opens the door to a world of imagination, enrichment and economic opportunity like no other and that the ability to read is fundamental to leading a full and productive life; and

**WHEREAS**, with these fundamental beliefs in mind, the founding members of the Amelia Island Book Festival, responding to the needs of a young and growing community, formed with the objective of promoting literacy, culture and learning through books in Fernandina Beach and Nassau County; and

**WHEREAS**, for more than a decade, Festival organizers have raised funds to host the *Authors in Schools Program* and the *Author Exposition & Reader's Extravaganza*. These annual events bring more than 100 diverse, well-known and emerging authors to Fernandina Beach venues, Nassau County Schools and several area Pre-Kindergartens. The events are always free of charge and provide children and adults an amazing opportunity to meet the authors of the books they have grown to know and love. They are able to participate in lively readings and talks, as well as receive an autographed book; and

**WHEREAS**, through these widely regarded "second to none in the nation" programs, the Amelia Island Book Festival remains devoted to igniting interest in reading and fostering a lifelong love for books; and

**WHEREAS**, it is fitting that we honor the great contributions made by the Amelia Island Book Festival staff, volunteers, business partners and students to the advancement of literacy. Let us also celebrate this organization's broader vision and efforts for Fernandina Beach and Nassau County to become a more educated, prosperous, and equal society.

**NOW THEREFORE**, I, John A. Miller, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do encourage all residents and visitors to attend the:

## **AMELIA ISLAND BOOK FESTIVAL**

on February 18–20, 2016.

**IN WITNESS WHEREOF**, I, John A. Miller, as Mayor hereunto set my hand and cause the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 16th day of February, 2016.

CITY OF FERNANDINA BEACH

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John A. Miller  
Mayor-Commissioner

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Presentation**  
CRA Update

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **None**

SYNOPSIS: CRA Advisory Board Chair Arlene Filkoff will provide a Monthly Progress Update.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

DEPARTMENT DIRECTOR Submitted by: Adrienne Burke, *AB* Date: 1/26/16  
CDD Director  
CONTROLLER Approved as to Budget Compliance Date:  
CITY ATTORNEY Approved as to Form and Legality Date:  
CITY MANAGER Approved Agenda Item for 02/16/2016 *DLM* Date: 1/26/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Presentation**  
Fernandina Beach Main Street Program - Quarterly Update

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: N/A

SYNOPSIS: Mr. Jeff Kurtz of Fernandina Beach Main Street will provide a synopsis of projects occurring within each of the four Main Street Councils (Promotions, Economic Restructuring, Organization, and Promotion).

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

DEPARTMENT DIRECTOR	Submitted by: Dale L. Martin, City Manager	Date: 1/22/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 02/16/2016 <i>DLM</i>	Date: 1/22/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **BUDGET SUMMARY – January 2016**

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: None

SYNOPSIS: Budget Summary Report for January 2016 and Accounts Receivable Summary.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: No Comments.

CITY MANAGER RECOMMENDATION(S): N/A

DEPARTMENT DIRECTOR Submitted by: Patti Clifford, *PHC* Date: 2/10/2016  
Director's Title

CONTROLLER Approved as to Budget Compliance *PHC* Date: 2/10/2016

CITY ATTORNEY Approved as to Form and Legality Date:

CITY MANAGER Approved Agenda Item for 2/16/2016 *DM* Date: 2/11/2016

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

# Monthly Budget Report

## January 2016

**Overall:** Four months or 33% into fiscal year 2015/2016. Electric Franchise Fee revenue has been accrued for the months of December and January. Some expenses may be light due to a processing lag - we generally do not accrue items during the year with Sanitation costs and Marina Fuel being the exceptions. We will prepare budget amendments through the year to ensure budgeted amounts are not exceeded on a line by line basis.

### **General Fund:** (001)

Total General Fund Revenues at 62.28% of the annual budgeted amount is high due to the timing of property tax receipts, more than \$8.9 million received to date. \$298,000 has been accrued year to date for Franchise Fees. Specific lines we are tracking are detailed below.

	15/16 Budget	Jan 16 YTD \$	Jan 16 YTD %	Jan 15 YTD \$	Jan 15 YTD %
Local Option Gas Tax	222,462	80,844	36.3%	77,038	36.3%
Small County Surtax (one cent sales tax)	1,445,224	407,975	28.2%	377,838	27.5%
Half Cent Sales Tax	726,445	232,461	32.0%	216,179	30.8%
Franchise Fees	1,325,000	505,284	38.1%	380,391	27.8%
<b>Total FY 15/16 Bud</b>	<b>3,719,131,</b>				
Total FY 14/15 Actual	3,692,753				
Total FY 14/15 Bud	3,659,183				

The Finance and HR departments are above the 33% mark due to payment for annual kronos and IMS maintenance fees.

### **Special Revenue Funds:** (100-190)

Revenues plus Cash Balance Forward exceed Expenditures for all Special Revenue Funds. Because the 2015 Taxable Value for the CRA remains lower than the base year, it did not attract any incremental taxes from the City or the County this fiscal year.

### **Debt Service Funds:** (220 -240)

Semiannual interest payments were recorded in the GO Bond Debt Service Fund, Fund 220, and the Marina Debt Service Fund, Fund 240.

### **Capital Improvement Funds:** (300-330)

Revenues plus Cash Balance Forward exceed Expenditures for all Capital Improvement Funds.

### **Golf Course:** (410)

Revenues exceeded expenditures year to date due to recording annual memberships in October. Memberships were down \$13,970 or 12.2% January year to date this year compared to last January. Margins on Pro Shop Sales are exceeding budget at 86% of costs compared to the budgeted 67%. F&B Sales are higher than F&B costs including labor year to date by only \$5,655. The margin on F&B Sales is below budget.

**Airport:** (420)

Revenues exceeded Expenditures for the month and year to date.

**Sanitation:** (440)

Revenues exceeded Expenditures for the year to date.

**Wastewater:** (450)

Revenues exceeded Expenditures for the month and year to date. Revenue from Wastewater Fees was \$51,423 or 3.0% higher than last January year to date.

**Water:** (460)

Revenues exceeded Expenditures for the year to date. Revenue from Water Fees was \$33,540 or 2.8% higher than last January year to date. Revenue is tracking slightly lower than budget.

**Storm Water Management:** (470)

Expenses exceeded Revenue for the year to date due to the annual debt service payment for the street sweeper in November.

**Marina:** (480)

Revenues exceeded Expenditures for the month and year to date. Slip rental revenue was \$38,504 or 17.9% higher than last January year to date. The margin on Fuel Sales is higher than the budgeted ratio.

**Central Garage:** (510)

Revenue exceeded Expenditures for the year to date. The Cost of Goods Sold is light. This Fund is meant to be self-supporting.

**Utility Billing and Utility Administration:** (520 – 530)

Revenues exceeded Expenditures for the month and year to date in Utility Billing. As was anticipated in the budget, Revenues plus Cash Balance Forward exceed Expenditures in Utility Admin.

City of Fernandina Beach  
 Accounts Receivable Analysis  
 2/10/2016

Utility Billing - Current Accounts						
Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing		
8,300	Active Customers			\$ 980,500.00		
297		30	32,886.39			
78		60	6,248.96			
9		90	195.19 *			
-		120	- *			
-		150	- *			
254		Total	\$ 39,330.54		* Payment plan in place	
Utility Billings - Closed accounts (not yet turned over to Collection Agency)						
113	Closed accts.	52 accts. w/delinquent balances	\$ 7,687.67			
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
2012	176	29,067.50	2,077.65	7,957.49		34.52%
2013 (thru Dec)	163	28,466.08	936.65	5,311.72		21.95%
2014 (thru Dec)	140	20,272.45	461.39	3,015.57		17.15%
2015 (thru Sept)	89	16,459.15	150.00	1,892.86		0.00%
		\$ 94,265.18	\$ 3,625.69	\$ 18,177.64	\$ 21,803.33	23.13%
Recovered to date		\$ (21,803.33)				
Balance currently at CCI		\$ 72,461.85				

Airport					
Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing	
87	ALL Customers			\$42,512.60	
8		30	10,544.94		
0		60	-		
0		90	-		
0		120	-		
0		150+	-		
8		Sub Total	\$ 10,544.94		

Marina					
Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing	
41	ALL Customers			\$23,512	
2		30	1,178.31		
0		60	-		
0		90	-		
0		120	-		
0		150+	-		
			1,178.31		
Benny Hendrix	577.80	Will be in 2/10		30	
Jack Daniels	600.51	Called +emailed will pay		30+60	
	1,178.31				

Peck Center & Other City Leases					
Number of Customers		Delinquency Days	\$	Avg Mo'ly Billing	
9	ALL Customers			12,521.54	
0		30	-		
0		60	-		
0		90	-		
0		120+	-		
0		Sub Total	\$ -		

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

33.3%

Fund 001

**GENERAL FUND****Revenues**

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Property Taxes	10,332,000.00	437,406.32	8,946,400.10	1,385,599.90	86.59
Total Local Option Taxes	1,667,686.00	115,174.73	488,818.97	1,178,867.03	29.31
	0.00	0.00	0.00	0.00	0.00
<b>TOTAL LOCAL BUSINESS TAX FEES</b>	171,000.00	5,244.48	147,637.18	23,362.82	86.34
Total Building Permits	563,200.00	66,178.00	202,857.00	360,343.00	36.02
<b>TOTAL ELECTRIC FRANCHISE FEES</b>	1,325,000.00	99,460.17	505,284.17	819,715.83	38.13
<b>TOTAL GAS FRANCHISE FEES</b>	15,000.00	0.00	1,815.87	13,184.13	12.11
Other CDD Permits/Fees	234,700.00	29,712.13	97,378.13	137,321.87	41.49
Total Federal Grants	40,000.00	0.00	0.00	40,000.00	0.00
Total State Grants	0.00	0.00	0.00	0.00	0.00
Total State Shared Revenues	965,382.00	73,578.00	320,254.81	645,127.19	33.17
Total Grants from Other Local Units	154,046.00	22,304.41	36,942.46	117,103.54	23.98
Total Payments in Lieu of Taxes	50,000.00	0.00	0.00	50,000.00	0.00
Total Public Safety Fees/Services	558,000.00	32,805.24	126,199.66	431,800.34	22.62
Admin Fee-Water	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
Total Recreation Revenues	699,000.00	41,662.29	180,350.01	518,649.99	25.80
Total Fines/Judgments	11,500.00	884.20	3,760.26	7,739.74	32.70
Total Code Violation Fines	0.00	0.00	0.00	0.00	0.00
Total Other Fines/Forfeits	13,200.00	571.40	2,377.30	10,822.70	18.01
Total Interest/Other Earnings	162,735.00	13,867.92	47,416.98	115,318.02	29.14
Total Sale of Assets/Insurance Proceeds	0.00	0.00	0.00	0.00	0.00
Other Miscellaneous Revenues	5,800.00	96,817.47	103,776.65	-97,976.65	789.25
Total Transfers Other Than Enterprise	1,740,000.00	145,000.00	580,000.00	1,160,000.00	33.33
Total Transfers Other Than Enterprise	0.00	0.00	0.00	0.00	0.00
Total Enterprise Transfers	480,000.00	39,999.99	159,999.96	320,000.04	33.33
Total Budgeted Surplus	5,255,836.00	0.00	0.00	5,255,836.00	0.00
<b>Total Revenues</b>	<b>24,444,085.00</b>	<b>1,220,666.75</b>	<b>11,951,269.51</b>	<b>12,492,815.49</b>	<b>48.69</b>

19,188,249

62.28%

**Expenditures**

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Operating Expenditures							
CITY COMMISSION	280,500.00	15,027.76	87,704.72	0.00	192,795.28	192,795.28	31.27
CITY CLERK	449,213.00	24,577.67	150,453.23	4,725.00	294,034.77	298,759.77	34.54
CITY MANAGER	575,905.00	43,703.65	171,470.81	0.00	404,434.19	404,434.19	29.77
FINANCE	615,912.00	45,377.06	212,126.17	0.00	403,785.83	403,785.83	34.44
INFORMATION TECHNOLOGY	638,578.00	48,905.53	150,567.64	22,750.00	465,260.36	488,010.36	27.14
HUMAN RESOURCES	258,973.00	17,393.50	91,417.01	0.00	167,555.99	167,555.99	35.30
LEGAL	299,439.00	17,835.45	84,267.56	0.00	215,171.44	215,171.44	28.14
CITY HALL MAINTENANCE ACCOUNT	268,758.00	15,236.94	77,119.75	0.00	191,638.25	191,638.25	28.69
PW ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FACILITIES MAINTENANCE	490,920.00	37,863.81	161,455.94	0.00	329,464.06	329,464.06	32.89
POLICE	4,591,886.00	348,000.30	1,461,405.33	0.00	3,130,480.67	3,130,480.67	31.83

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 001

## GENERAL FUND

FIRE	4,266,821.00	317,823.72	1,302,488.69	28,292.21	2,936,040.10	2,964,332.31	31.19
BUILDING	654,374.00	42,961.43	189,961.39	0.00	464,412.61	464,412.61	29.03
PLANNING	393,466.00	23,863.49	103,859.16	0.00	289,606.84	289,606.84	26.40
CODE ENFORCEMENT	150,916.00	9,733.93	44,383.21	0.00	106,532.79	106,532.79	29.41
STREET DIVISION	1,776,277.00	151,541.03	542,595.53	37,715.00	1,195,966.47	1,233,681.47	32.67
DOWNTOWN DISTRICT	55,041.00	4,641.74	11,170.29	0.00	43,870.71	43,870.71	20.29
LIBRARY	10,222.00	1,603.91	3,046.85	150.00	7,025.15	7,175.15	31.27
RECREATION CENTER	940,423.00	69,741.19	291,748.33	11,903.90	636,770.77	648,674.67	32.29
PARKS	172,814.00	8,003.47	40,004.52	5,975.00	126,834.48	132,809.48	26.61
PECK	405,506.00	25,187.49	106,658.07	0.00	298,847.93	298,847.93	26.30
YOUTH PROGRAMS	233,951.00	14,914.26	63,496.51	0.00	170,454.49	170,454.49	27.14
AQUATICS	305,222.00	18,817.01	75,124.37	1,190.98	228,906.65	230,097.63	25.00
CEMETERY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER SERVICES	44,750.00	660.00	7,142.53	0.00	37,607.47	37,607.47	15.96
<b>Operating Expenditures Subtotal</b>	<b>17,879,867.00</b>	<b>1,303,414.34</b>	<b>5,429,667.61</b>	<b>112,702.09</b>	<b>12,337,497.30</b>	<b>12,450,199.39</b>	<b>31.00</b>
<b>TRANSFERS</b>	<b>2,094,015.00</b>	<b>174,501.27</b>	<b>698,005.08</b>	<b>0.00</b>	<b>1,396,009.92</b>	<b>1,396,009.92</b>	<b>33.33</b>
<b>Transfers &amp; Operating Subtotals</b>	<b>19,973,882.00</b>	<b>1,477,915.61</b>	<b>6,127,672.69</b>	<b>112,702.09</b>	<b>13,733,507.22</b>	<b>13,846,209.31</b>	<b>31.24</b>
<b>Total Contingency</b>	<b>114,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>114,000.00</b>	<b>114,000.00</b>	<b>0.00</b>

<b>RESERVES</b>	<b>4,356,203.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,356,203.00</b>	<b>4,356,203.00</b>	<b>0.00</b>
<b>Total Expenditures</b>	<b>24,444,085.00</b>	<b>1,477,915.61</b>	<b>6,127,672.69</b>	<b>112,702.09</b>	<b>18,203,710.22</b>	<b>18,316,412.31</b>	<b>25.53</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-257,248.86</b>	<b>5,823,596.82</b>	<b>5,710,894.73</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 100

**LAW ENFORCEMENT TRUST FUND****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total LETF Revenues	2,000.00	405.00	420.00	1,580.00	21.00
Total Budgeted Surplus	23,400.00	0.00	0.00	23,400.00	0.00
<b>Total Revenues</b>	<b>25,400.00</b>	<b>405.00</b>	<b>420.00</b>	<b>24,980.00</b>	<b>1.65</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Operating Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Operating Expenses	1,000.00	0.00	0.00	0.00	1,000.00	1,000.00	0.00
Total LETF Capital Expenses	22,000.00	0.00	19,782.51	0.00	2,217.49	2,217.49	89.92
Total LETF Reserves	2,400.00	0.00	0.00	0.00	2,400.00	2,400.00	0.00
<b>Total Expenditures</b>	<b>25,400.00</b>	<b>0.00</b>	<b>19,782.51</b>	<b>0.00</b>	<b>5,617.49</b>	<b>5,617.49</b>	<b>77.88</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>405.00</b>	<b>-19,362.51</b>	<b>-19,362.51</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 110

**FEDERAL FORFEITURE****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Revenue	80,000.00	0.00	2,055.92	77,944.08	2.57
Total Interest Earned	0.00	0.00	0.00	0.00	0.00
Total Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Budgeted Surplus	80,260.00	0.00	0.00	80,260.00	0.00
<b>Total Revenues</b>	<b>160,260.00</b>	<b>0.00</b>	<b>2,055.92</b>	<b>158,204.08</b>	<b>1.28</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Operating Expenses	28,000.00	101.82	11,099.23	1,267.96	15,632.81	16,900.77	44.17
Total Capital Expenses	100,800.00	8,155.76	8,155.76	103,960.90	-11,316.66	92,644.24	111.23
Total Contingency/Reserves	31,460.00	0.00	0.00	0.00	31,460.00	31,460.00	0.00
<b>Total Expenditures</b>	<b>160,260.00</b>	<b>8,257.58</b>	<b>19,254.99</b>	<b>105,228.86</b>	<b>35,776.15</b>	<b>141,005.01</b>	<b>77.68</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-8,257.58</b>	<b>-17,199.07</b>	<b>-122,427.93</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 120

**CDBG HOUSING****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Grants	0.00	0.00	0.00	0.00	0.00
Total Interest Earned	0.00	0.00	0.00	0.00	0.00
Total Budgeted Surplus	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Operating Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Capital Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 130

## CDBG-ECONOMIC DEVELOPMENT

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Impact Fees	0.00	0.00	0.00	0.00	0.00
FDOT Grant	0.00	0.00	0.00	0.00	0.00
Total Interest Earned	0.00	0.00	0.00	0.00	0.00
Total Loan Repayment	0.00	0.00	0.00	0.00	0.00
Total Transfers	0.00	0.00	0.00	0.00	0.00
Total Budgeted Surplus	112,700.00	0.00	0.00	112,700.00	0.00
Total Reserve	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>112,700.00</b>	<b>0.00</b>	<b>0.00</b>	<b>112,700.00</b>	<b>0.00</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Capital Expenses	112,700.00	0.00	0.00	0.00	112,700.00	112,700.00	0.00
Total Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>112,700.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>112,700.00</b>	<b>112,700.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 140

## SEWER IMPACT

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Impact Fees-Sewer Impact Fund	0.00	0.00	0.00	0.00	0.00
Total Interest Earned-Sewer Impact Fund	0.00	0.00	0.00	0.00	0.00
Total Impact Fees	232,100.00	32,494.00	101,799.06	130,300.94	43.86
Total Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Surplus-Sewer Impact Fund	40,000.00	0.00	0.00	40,000.00	0.00
<b>Total Revenues</b>	<b>272,100.00</b>	<b>32,494.00</b>	<b>101,799.06</b>	<b>170,300.94</b>	<b>37.41</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Operating Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Transfers to Debt-Sewer Impact Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Transfers	228,000.00	19,000.00	76,000.00	0.00	152,000.00	152,000.00	33.33
Total Reserves-Sewer Impact Fund	44,100.00	0.00	0.00	0.00	44,100.00	44,100.00	0.00
<b>Total Expenditures</b>	<b>272,100.00</b>	<b>19,000.00</b>	<b>76,000.00</b>	<b>0.00</b>	<b>196,100.00</b>	<b>196,100.00</b>	<b>27.93</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>13,494.00</b>	<b>25,799.06</b>	<b>25,799.06</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 145

## WATER IMPACT FEES

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Interest Earned-Water Impact Fund	0.00	0.00	0.00	0.00	0.00
Total Impact Fees-Water Impact Fund	96,000.00	13,426.00	45,905.36	50,094.64	47.82
Total Surplus-Water Impact Fund	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>96,000.00</b>	<b>13,426.00</b>	<b>45,905.36</b>	<b>50,094.64</b>	<b>47.82</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Transfers	96,000.00	8,000.00	32,000.00	0.00	64,000.00	64,000.00	33.33
Total Reserves-Water Impact Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>96,000.00</b>	<b>8,000.00</b>	<b>32,000.00</b>	<b>0.00</b>	<b>64,000.00</b>	<b>64,000.00</b>	<b>33.33</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>5,426.00</b>	<b>13,905.36</b>	<b>13,905.36</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 150

## UTILITY TAX

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Utility Revenues	1,666,000.00	133,441.65	553,270.42	1,112,729.58	33.21
Total Interest Earned	0.00	0.08	0.24	-0.24	0.00
Total Cash Balance Fwd	125,400.00	0.00	0.00	125,400.00	0.00
<b>Total Revenues</b>	<b>1,791,400.00</b>	<b>133,441.73</b>	<b>553,270.66</b>	<b>1,238,129.34</b>	<b>30.88</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Transfers Out	1,740,000.00	145,000.00	580,000.00	0.00	1,160,000.00	1,160,000.00	33.33
Total Reserves	51,400.00	0.00	0.00	0.00	51,400.00	51,400.00	0.00
<b>Total Expenditures</b>	<b>1,791,400.00</b>	<b>145,000.00</b>	<b>580,000.00</b>	<b>0.00</b>	<b>1,211,400.00</b>	<b>1,211,400.00</b>	<b>32.38</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-11,558.27</b>	<b>-26,729.34</b>	<b>-26,729.34</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

## LOCAL LAW ENF BLOCK GRANT

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total State Grant	0.00	0.00	0.00	0.00	0.00
Total Interest Earned	0.00	0.00	0.00	0.00	0.00
Total Interest Earned-LBG	0.00	0.00	0.00	0.00	0.00
Total Cash Balance Forward	571.00	0.00	0.00	571.00	0.00
Total City Match	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>571.00</b>	<b>0.00</b>	<b>0.00</b>	<b>571.00</b>	<b>0.00</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Operating Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Capital Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Refund-Prior Year Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Refund-Prior Year Grant	571.00	0.00	0.00	0.00	571.00	571.00	0.00
<b>Total Expenditures</b>	<b>571.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>571.00</b>	<b>571.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 170

**CEMETERY****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Sales/Fees	104,100.00	13,250.71	42,940.71	61,159.29	41.25
Total Interest Earned	0.00	10,562.56	8,690.51	-8,690.51	0.00
Total Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Transfers	0.00	0.00	0.00	0.00	0.00
Total Budgeted Cash Balance Fwd	895,700.00	0.00	0.00	895,700.00	0.00
<b>Total Revenues</b>	<b>999,800.00</b>	<b>23,813.27</b>	<b>51,631.22</b>	<b>948,168.78</b>	<b>5.16</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Personnel Expenses	66,136.00	5,208.24	22,236.25	0.00	43,899.75	43,899.75	33.62
Total Operating Expenses	23,294.00	1,385.52	6,379.94	0.00	16,914.06	16,914.06	27.39
Total Capital Expenses	2,800.00	0.00	0.00	1,457.92	1,342.08	2,800.00	52.07
Total Reserves	893,000.00	0.00	0.00	0.00	893,000.00	893,000.00	0.00
Total Contingency	14,570.00	0.00	0.00	0.00	14,570.00	14,570.00	0.00
<b>Total Expenditures</b>	<b>999,800.00</b>	<b>6,593.76</b>	<b>28,616.19</b>	<b>1,457.92</b>	<b>969,725.89</b>	<b>971,183.81</b>	<b>3.01</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>17,219.51</b>	<b>23,015.03</b>	<b>21,557.11</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 180

**COMMUNITY REDEVELOPMENT AREA****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Taxes	0.00	0.00	0.00	0.00	0.00
Total Interest	0.00	0.00	0.00	0.00	0.00
Total Transfers	0.00	0.00	0.00	0.00	0.00
Total Cash Balance Forward	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Operating Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Capital	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>			

## Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 190

### LAW ENFORCEMENT RECOVERY

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total LERF Revenue	143,000.00	0.00	14,850.00	128,150.00	10.38
Total Cash Balance Forward	85,300.00	0.00	0.00	85,300.00	0.00
<b>Total Revenues</b>	<b>228,300.00</b>	<b>0.00</b>	<b>14,850.00</b>	<b>213,450.00</b>	<b>6.50</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Operating Expenses	70,000.00	6,538.25	19,286.69	9,600.00	41,113.31	50,713.31	41.27
Total LERF Capital Expenses	95,500.00	4,077.88	23,426.80	48,833.79	23,239.41	72,073.20	75.67
Total LERF Reserves	62,800.00	0.00	0.00	0.00	62,800.00	62,800.00	0.00
<b>Total Expenditures</b>	<b>228,300.00</b>	<b>10,616.13</b>	<b>42,713.49</b>	<b>58,433.79</b>	<b>127,152.72</b>	<b>185,586.51</b>	<b>44.30</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-10,616.13</b>	<b>-27,863.49</b>	<b>-86,297.28</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 220

## BOND DEBT SERVICE

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Interest Earned-GOB Fund	0.00	0.00	0.00	0.00	0.00
Total Transfers from General Fund	345,000.00	28,750.00	115,000.00	230,000.00	33.33
Total Cash Balance Forward	83,800.00	0.00	0.00	83,800.00	0.00
<b>Total Revenues</b>	<b>428,800.00</b>	<b>28,750.00</b>	<b>115,000.00</b>	<b>313,800.00</b>	<b>26.82</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Debt Service	424,484.00	0.00	27,741.80	0.00	396,742.20	396,742.20	6.54
TOTAL TRANSFER OUT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves-GOB Debt Service	4,316.00	0.00	0.00	0.00	4,316.00	4,316.00	0.00
<b>Total Expenditures</b>	<b>428,800.00</b>	<b>0.00</b>	<b>27,741.80</b>	<b>0.00</b>	<b>401,058.20</b>	<b>401,058.20</b>	<b>6.47</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>28,750.00</b>	<b>87,258.20</b>	<b>87,258.20</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 230

## UTILITY DEBT SERVICE

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Interest	0.00	0.00	0.00	0.00	0.00
Total Transfers	2,754,098.00	229,508.17	918,032.68	1,836,065.32	33.33
Total Cash Balance Forward	189,402.00	0.00	0.00	189,402.00	0.00
<b>Total Revenues</b>	<b>2,943,500.00</b>	<b>229,508.17</b>	<b>918,032.68</b>	<b>2,025,467.32</b>	<b>31.19</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Debt Service	2,754,998.00	0.00	0.00	0.00	2,754,998.00	2,754,998.00	0.00
Total Transfer Out	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves	188,502.00	0.00	0.00	0.00	188,502.00	188,502.00	0.00
Total Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>2,943,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,943,500.00</b>	<b>2,943,500.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>229,508.17</b>	<b>918,032.68</b>	<b>918,032.68</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 240

## MARINA DEBT SERVICE

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Transfers In	117,938.00	9,828.17	39,312.68	78,625.32	33.33
Total Cash Balance Forward	25,836.00	0.00	0.00	25,836.00	0.00
<b>Total Revenues</b>	<b>143,774.00</b>	<b>9,828.17</b>	<b>39,312.68</b>	<b>104,461.32</b>	<b>27.34</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Debt Service	117,938.00	0.00	19,360.01	0.00	98,577.99	98,577.99	16.42
Total Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves	25,836.00	0.00	0.00	0.00	25,836.00	25,836.00	0.00
<b>Total Expenditures</b>	<b>143,774.00</b>	<b>0.00</b>	<b>19,360.01</b>	<b>0.00</b>	<b>124,413.99</b>	<b>124,413.99</b>	<b>13.47</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>9,828.17</b>	<b>19,952.67</b>	<b>19,952.67</b>			

# Detail Budget Report

Fiscal Year to Date Thru January 2016

Fund 300

## CAPITAL IMPROVEMENT

### Revenues

		Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
300-312.4000	LOCAL OPTION GAS TAX	0.00	0.00	0.00	0.00	0.00
300-312.6000	SMALL COUNTY SURTAX	0.00	0.00	0.00	0.00	0.00
	Total Local Option Taxes	0.00	0.00	0.00	0.00	0.00
300-331.1000	FED GRANT DOWNTOWN COMFORT STATION	0.00	0.00	0.00	0.00	0.00
300-331.2000	FED GRANT FIRE PREVENTION TRAILER	0.00	0.00	0.00	0.00	0.00
300-331.3000	FEDERAL GRANT FIRE TRUCK	0.00	0.00	0.00	0.00	0.00
300-331.3010	FBIP-BOAT RAMP	0.00	0.00	0.00	0.00	0.00
300-331.4000	FEDERAL HOMELAND SECURITY FEMA	0.00	0.00	0.00	0.00	0.00
300-331.4010	FEDERAL USDA	0.00	0.00	0.00	0.00	0.00
300-331.7000	BEACH STABILIZATION FEDERAL	0.00	0.00	0.00	0.00	0.00
300-334.3600	STATE GRANT	6,900.00	-207.04	-207.04	7,107.04	-3.00
300-334.3800	STATE GRANT FRDAP	0.00	0.00	0.00	0.00	0.00
300-334.3810	FRDAP	0.00	0.00	0.00	0.00	0.00
300-334.3820	FRDAP GRANT-SEASIDE PARK	0.00	0.00	0.00	0.00	0.00
300-334.3830	FRDAP SKATE PARK	0.00	0.00	0.00	0.00	0.00
300-334.3840	FRDAP MLK POOL	0.00	0.00	0.00	0.00	0.00
300-334.3850	FRDAP MAIN BEACH PARK	0.00	0.00	0.00	0.00	0.00
300-334.3860	FRDAP LIGHTHOUSE	0.00	0.00	0.00	0.00	0.00
300-334.3870	FIND	0.00	0.00	0.00	0.00	0.00
300-334.3880	FIND BOAT RAMP	0.00	0.00	0.00	0.00	0.00
300-334.4100	STATE GRANT-BEACH PRESERVATION	0.00	0.00	0.00	0.00	0.00
300-334.4110	STATE GRANT-EMERGENCY DUNE ENHANCEMENT	0.00	0.00	0.00	0.00	0.00
300-334.4200	LAND WATER CONSERVATION GRANT	0.00	0.00	0.00	0.00	0.00
300-334.4220	STATE GRANT FIRE RESCUE UNIT	0.00	0.00	0.00	0.00	0.00
300-334.7000	STATE GRANTS RECREATION MASTER PLAN	0.00	0.00	0.00	0.00	0.00
300-334.7001	COUNTY GRANT FIRE DEPT SHUTTERS	0.00	0.00	0.00	0.00	0.00
	Total State Grants	6,900.00	-207.04	-207.04	7,107.04	-3.00
300-335.4400	8TH CENT GAS TAX	100,000.00	8,113.59	32,454.36	67,545.64	32.45
	Total Gas Tax	100,000.00	8,113.59	32,454.36	67,545.64	32.45
300-337.7000	COUNTY GRANTS	4,050.00	0.00	0.00	4,050.00	0.00
300-337.7100	TDC GRANT	0.00	0.00	0.00	0.00	0.00
300-337.7110	CPI LIGHTHOUSE GRANT	0.00	0.00	0.00	0.00	0.00
300-337.7120	CPI DUNE REVEG GRANT	0.00	0.00	0.00	0.00	0.00
300-337.7130	CPI NORTH BEACH PARK GRANT	0.00	0.00	0.00	0.00	0.00
300-337.7140	HICKORY STREET/COUNTY PORTION	0.00	0.00	0.00	0.00	0.00
300-337.7150	ST JOHNS RIVER MGMT-STORMWATER 1ST AVE	0.00	0.00	0.00	0.00	0.00
300-337.7160	GRANT REVENUE-SKATE PARK	0.00	0.00	0.00	0.00	0.00
300-337.7165	GRANT REVENUE-SOCCER	0.00	0.00	0.00	0.00	0.00
300-337.7166	GRANT REV-TDC RESTORATION FOUNDATION	0.00	0.00	0.00	0.00	0.00
300-337.7200	FOL CONTRIBUTION	0.00	0.00	0.00	0.00	0.00
	Total Other Grants	4,050.00	0.00	0.00	4,050.00	0.00
300-360.1000	LOAN PROCEEDS	0.00	0.00	0.00	0.00	0.00
300-361.1000	INTEREST EARNED	1,000.00	254.73	719.19	280.81	71.92
300-361.2000	UNREALIZED GAIN-SBA	0.00	0.00	0.00	0.00	0.00
300-361.4000	INTEREST ON PAVING ASSESSMENTS	0.00	0.00	0.00	0.00	0.00
	Total Interest Earned	1,000.00	254.73	719.19	280.81	71.92
300-363.2000	PAYMENT ON PAVING ASSESSMENTS	0.00	0.00	0.00	0.00	0.00
300-369.9000	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00

# Detail Budget Report

Fiscal Year to Date Thru January 2016

Fund 300

## CAPITAL IMPROVEMENT

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Other Revenues	0.00	0.00	0.00	0.00	0.00
300-381.1000 TRANSFER IN/GENERAL	1,133,500.00	94,458.34	377,833.36	755,666.64	33.33
300-381.1010 TRANSFER IN PECK/GENERAL	0.00	0.00	0.00	0.00	0.00
300-381.2200 GOB DEBT SERVICE FUND	0.00	0.00	0.00	0.00	0.00
300-381.3100 TRANSFER IN/CAPITAL EXPANSION	0.00	0.00	0.00	0.00	0.00
Total Transfers In	1,133,500.00	94,458.34	377,833.36	755,666.64	33.33
300-384.0000 LAND ACQUISITION LOAN	0.00	0.00	0.00	0.00	0.00
300-384.0001 OTHER FINANCING SOURCES	1,743,500.00	0.00	0.00	1,743,500.00	0.00
Total Loans	1,743,500.00	0.00	0.00	1,743,500.00	0.00
300-389.1000 CASH BALANCE FORWARD	578,550.00	0.00	0.00	578,550.00	0.00
300-389.1005 CASH BALANCE FORWARD F2	0.00	0.00	0.00	0.00	0.00
300-389.1010 CASH BALANCE FORWARD-BOND	0.00	0.00	0.00	0.00	0.00
Total Cash Balance FWD	578,550.00	0.00	0.00	578,550.00	0.00
<b>Total Revenues</b>	<b>3,567,500.00</b>	<b>102,619.62</b>	<b>410,799.87</b>	<b>3,156,700.13</b>	<b>11.52</b>



# Detail Budget Report

Fiscal Year to Date Thru January 2016

Fund 300

## CAPITAL IMPROVEMENT

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
300-3000-541.6512		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6513		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6514		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6515		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6516		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6517		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6518		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6519		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6520		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6521		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6522		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6523		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6524		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6525		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6530		32,750.00	0.00	0.00	0.00	32,750.00	32,750.00
300-3000-541.6540		300,000.00	0.00	8,897.00	0.00	291,103.00	291,103.00
300-3000-541.6550		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6551		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6552		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6553		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6554		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6555		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6556		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6570		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6580		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6610		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-541.6700		800,000.00	0.00	0.00	0.00	800,000.00	800,000.00
300-3000-571.6200		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.3100		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.3200		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.3340		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.4900		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6200		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6205		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6210		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6215		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6216		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6217		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6218		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6220		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6225		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6230		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6235		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6236		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6237		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6238		55,000.00	0.00	1,365.85	43,032.16	10,601.99	53,634.15
300-3000-572.6240		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6241		0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6242		0.00	0.00	0.00	0.00	0.00	0.00

# Detail Budget Report

Fiscal Year to Date Thru January 2016

Fund 300

## CAPITAL IMPROVEMENT

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
300-3000-572.6245	BOARDWALK IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6250	MAIN BEACH CABANA	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6255	DUNE WALKOVERS	30,000.00	0.00	0.00	16,954.00	13,046.00	30,000.00
300-3000-572.6260	BUCCANEER FIELD IMPROVEMEN'	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6265	SKATE PARK	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6310	MAIN BEACH IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6311	MAIN BEACH WALKWAYS & GAZEI	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6313	DUNE WALKOVER-MATANZA & MA	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6330	SOCCER COM/ALVAREZ FIELD	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6335	YBOR ALVAREZ SOCCER PARK/RE	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6340	SEASIDE PARK	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6345	KAYAK LAUNCH	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6360	DUNE WALKOVER/BEACH ACCES:	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6370	RESURF 3 BASKETBALL CTS-BONI	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6410	NORTH BEACH PARK	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6415	C STREET BEACH ACCESS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6420	BEACH RENOURISHMENT	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6425	BEACH STABILIZATION	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6426	BEACH RENOUR CONSTRUCTION	45,000.00	0.00	1,943.00	42,000.00	1,057.00	43,057.00
300-3000-572.6427	BEACH MONITORING	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6428	DREDGING-MARINA	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6429	MARINA IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6430	PARKS AND REC VEHICLES	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6450	LIGHTHOUSE RENOVATIONS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6480	DUNE REVEGATATION	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6485	EVES REPAIRED-MLK & ATL-BONC	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6490	ATLANTIC REC PATIO ROOM FLOC	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6492	ATLANTIC REC FLOOR REPLACEV	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6493	ATLANTIC REC CENTER IMPROVE	25,000.00	0.00	0.00	0.00	25,000.00	25,000.00
300-3000-572.6494	PECK GYM IMPROVEMENTS	60,000.00	0.00	0.00	19,466.00	40,534.00	60,000.00
300-3000-572.6495	ADD PLAYGROUND EQUIP-ATL BO	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6496	REPLACE LIGHT POLES-YBOR-BOI	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6497	PECK ROOF REPAIRS-BOND	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6498	JOE VALARDI BUILDING REMOVAL	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6499	MLK BASKETBALL COURT LIGHTS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6501	CENTRAL PARK PLAYGROUND	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6502	DOWNTOWN WATERFRONT PARK	125,000.00	0.00	0.00	7,146.00	117,854.00	125,000.00
300-3000-572.6503	FRONT STREET REHAB	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6504	REPLACE LIGHTS AT CHARLES AL	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6505	REPLACE FENCING YBOR	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6506	REPLACE CONCESSION & DUGOU	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6507	GREENWAY SADLER ACCESS	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6509	DOWNTOWN LIGHTING	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6510	POCKET PARK 100 BLOCK CENTR	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6511	POCKET PARK 200 BLOCK CENTR	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6512	DOWNTOWN COMFORT STATION	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6513	RAILROAD DEPOT REHAB	25,000.00	0.00	0.00	0.00	25,000.00	25,000.00
300-3000-572.6514	ARTIFICIAL REEF	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6515	ARC POOL FEATURES	0.00	0.00	0.00	4,775.00	-4,775.00	0.00

## Detail Budget Report

Fiscal Year to Date Thru January 2016

Fund 300

### CAPITAL IMPROVEMENT

### Expenditures

	Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
300-3000-572.6516	ARC BABY POOL IMPROVEMENTS	45,000.00	0.00	0.00	27,950.00	17,050.00	45,000.00	62.11
300-3000-572.6517	SOLAR PANELS FOR ARC POOL	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6518	ANIMAL RESCUE CENTER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6520	LAND ACQUISITION-SELL PROPER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6530	LAND ACQUISITION-BABY BURNS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6540	LAND ACQUISITION-BURNS PROP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6560	HICKORY STREET PROJECT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6570	LAND ACQUISITION BOND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.6580	LAND ACQUISITION RAYONIER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.7100	PRINCIPAL FOR POWELL PROP-BOND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-572.7200	INTEREST POWELL PROP-BOND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-581.9500	LAND AQUISITION RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-581.9505	RESERVE F2	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-581.9510	EGANS CREEK GREENWAY/BOND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-581.9520	RESERVE	471,930.00	0.00	0.00	0.00	471,930.00	471,930.00	0.00
300-3000-581.9530	OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300-3000-581.9900	CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total - Dept 3000	CAPITAL IMPROVEMENT	3,567,500.00	99,558.00	119,628.87	161,323.16	3,286,547.97	3,447,871.13	7.88
	<b>Total Expenditures</b>	<b>3,567,500.00</b>	<b>99,558.00</b>	<b>119,628.87</b>	<b>161,323.16</b>	<b>3,286,547.97</b>	<b>3,447,871.13</b>	<b>7.88</b>

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 310

**CAPITAL EXPANSION****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Grants	0.00	0.00	0.00	0.00	0.00
Total Grants	35,000.00	0.00	0.00	35,000.00	0.00
Total Interest Earned	1,000.00	208.33	588.20	411.80	58.82
Police Impact Fees	25,000.00	6,094.38	11,611.11	13,388.89	46.44
Fire Impact Fees	50,000.00	12,230.74	23,302.13	26,697.87	46.60
Sanitation Impact Fees	0.00	0.00	0.00	0.00	0.00
Recreation/Parks Impact Fees	300,000.00	50,403.60	129,115.35	170,884.65	43.04
Administration Impact Fees	70,000.00	16,601.88	31,630.11	38,369.89	45.19
Total Transfers IN	0.00	0.00	0.00	0.00	0.00
Budgeted Cash Fwd-Police	50,750.00	0.00	0.00	50,750.00	0.00
Budgeted Cash Fwd-Fire	218,980.00	0.00	0.00	218,980.00	0.00
Budgeted Cash Fwd-Sanitation	0.00	0.00	0.00	0.00	0.00
Budgeted Cash Fwd-Rec & Parks	995,970.00	0.00	0.00	995,970.00	0.00
Budgeted Cash Fwd-Admin	283,000.00	0.00	0.00	283,000.00	0.00
<b>Total Revenues</b>	<b>2,029,700.00</b>	<b>85,538.93</b>	<b>196,246.90</b>	<b>1,833,453.10</b>	<b>9.67</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Administration Expenditures	210,000.00	0.00	0.00	0.00	210,000.00	210,000.00	0.00
Total Police Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fire Equipment Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Equipment Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Sanitation Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Recreation/Parks Expenditures	780,600.00	20,440.10	63,977.59	46,922.35	669,700.06	716,622.41	14.21
Admin-Transfer out	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Administration Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Budgeted Reserves-Police	75,850.00	0.00	0.00	0.00	75,850.00	75,850.00	0.00
Budgeted Reserves-Fire	269,280.00	0.00	0.00	0.00	269,280.00	269,280.00	0.00
Budgeted Reserves-Sanitation	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Budgeted Reserves-Recreation/Parks	651,170.00	0.00	0.00	0.00	651,170.00	651,170.00	0.00
Budgeted Reserves-Administration	42,800.00	0.00	0.00	0.00	42,800.00	42,800.00	0.00
<b>Total Expenditures</b>	<b>2,029,700.00</b>	<b>20,440.10</b>	<b>63,977.59</b>	<b>46,922.35</b>	<b>1,918,800.06</b>	<b>1,965,722.41</b>	<b>5.46</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>65,098.83</b>	<b>132,269.31</b>	<b>85,346.96</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 330

**WASTEWATER IMPROVEMENT****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Interest Earned-Improvement Fund	0.00	350.17	-91.39	91.39	0.00
Total Transfers from WW Fund	250,000.00	20,833.33	83,333.32	166,666.68	33.33
Total Cash Balance Fwd-Improvement Fund	2,237,555.00	0.00	0.00	2,237,555.00	0.00
Total Loan Proceeds-Improvement Fund	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>2,487,555.00</b>	<b>21,183.50</b>	<b>83,241.93</b>	<b>2,404,313.07</b>	<b>3.35</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Operating Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Capital Expenses-Improvement Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Debt Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Reserves-Improvement Fund	2,487,555.00	0.00	0.00	0.00	2,487,555.00	2,487,555.00	0.00
<b>Total Expenditures</b>	<b>2,487,555.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,487,555.00</b>	<b>2,487,555.00</b>	<b>0.00</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>21,183.50</b>	<b>83,241.93</b>	<b>83,241.93</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 410

## GOLF COURSE

### Revenues

	Budgeted	Current Revenue	LY	YTD Revenue	Uncollected Bal	% Collected
Total Fees	971,623.00	61,302.72	331,651	330,501.20	641,121.80	34.02
Total Rentals	493,225.00	28,091.80	127,477	124,602.74	368,622.26	25.26
Total Other Sales	10,920.00	160.00		2,384.73	8,535.27	21.84
Total Interest Earned	0.00	0.00		0.00	0.00	0.00
Total Other Revenue	1,367.00	5,042.77		9,742.18	-8,375.18	712.67
Total Transfers In	237,000.00	19,750.00		79,000.00	158,000.00	33.33
Total Loan Forgiveness	0.00	0.00		0.00	0.00	0.00
Total Budgeted Cash Fwd	-620,500.00	0.00		0.00	-620,500.00	0.00
<b>Total Revenues</b>	<b>1,093,635.00</b>	<b>114,347.29</b>		<b>546,230.85</b>	<b>547,404.15</b>	<b>49.95</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses	727.00	60.59	459.03	0.00	267.97	267.97	63.14
Total Operating Expenses	1,495,958.00	106,689.01	430,290.35	0.00	1,065,667.65	1,065,667.65	28.76
Total Capital Expenses	80,000.00	0.00	0.00	0.00	80,000.00	80,000.00	0.00
Total Debt Service	140,451.00	68.02	352.70	0.00	140,098.30	140,098.30	0.25
Total Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contingency	-623,501.00	0.00	0.00	0.00	-623,501.00	-623,501.00	0.00
<b>Total Expenditures</b>	<b>1,093,635.00</b>	<b>106,817.62</b>	<b>431,102.08</b>	<b>0.00</b>	<b>662,532.92</b>	<b>662,532.92</b>	<b>39.42</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>7,529.67</b>	<b>115,128.77</b>	<b>115,128.77</b>			

	BUD	JAN YTD
PRO SHOP SALES	140,155	26,627
C OF GS	83,961	14,306
TR \$	56,194	12,321
% OF COST	66.92%	86.12%
F + B SALES	319,945	97,976
C OF GS	267,386	92,311
TR \$	52,559	5,655
% OF COST	19.66%	6.14%

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 420

**AIRPORT****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Grants/Contributions	388,000.00	15,899.69	15,899.69	372,100.31	4.10
Total Leases/Rents	593,497.00	45,421.19	185,898.18	407,598.82	31.32
Total Other Revenue	25,000.00	2,479.11	5,563.39	19,436.61	22.25
Total Transfers In	0.00	0.00	0.00	0.00	0.00
Total Cash Balance Fwd	780,941.00	0.00	0.00	780,941.00	0.00
<b>Total Revenues</b>	<b>1,787,438.00</b>	<b>63,799.99</b>	<b>207,361.26</b>	<b>1,580,076.74</b>	<b>11.60</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Personnel Expenses	93,929.00	5,957.39	26,780.86	0.00	67,148.14	67,148.14	28.51
Total Operating Expenses	251,645.00	30,698.74	62,394.39	485.51	188,765.10	189,250.61	24.99
Total Capital Expenses	441,500.00	17,189.96	17,189.96	85,314.03	338,996.01	424,310.04	23.22
Total Debt Service	70,976.00	0.00	0.00	0.00	70,976.00	70,976.00	0.00
Total Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contingency	929,388.00	0.00	0.00	0.00	929,388.00	929,388.00	0.00
<b>AIRPORT</b>	<b>1,787,438.00</b>	<b>53,846.09</b>	<b>106,365.21</b>	<b>85,799.54</b>	<b>1,595,273.25</b>	<b>1,681,072.79</b>	<b>10.75</b>
<b>Total Expenditures</b>	<b>1,787,438.00</b>	<b>53,846.09</b>	<b>106,365.21</b>	<b>85,799.54</b>	<b>1,595,273.25</b>	<b>1,681,072.79</b>	<b>10.75</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>9,953.90</b>	<b>100,996.05</b>	<b>15,196.51</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 440

**SANITATION****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Grant Revenue	0.00	0.00	0.00	0.00	0.00
Total Garbage Fees	2,225,000.00	190,136.51	757,911.93	1,467,088.07	34.06
Total Shrimp Fest Fees	0.00	0.00	0.00	0.00	0.00
Total Interest Earned	0.00	38.44	108.52	-108.52	0.00
Total Sale of Assets	0.00	0.00	0.00	0.00	0.00
Total Recycling Program	0.00	0.00	0.00	0.00	0.00
Total Other Revenue	25,000.00	1,688.22	3,519.33	21,480.67	14.08
Total Transfers In	0.00	0.00	0.00	0.00	0.00
Total Budgeted Cash Balance Fwd	196,900.00	0.00	0.00	196,900.00	0.00
<b>Total Revenues</b>	<b>2,446,900.00</b>	<b>191,863.17</b>	<b>761,539.78</b>	<b>1,685,360.22</b>	<b>31.12</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Personnel Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Operating Expenses	2,229,300.00	197,239.97	739,423.47	0.00	1,489,876.53	1,489,876.53	33.17
Total Capital Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Debt Service	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Transfers to GF	60,000.00	5,000.00	20,000.00	0.00	40,000.00	40,000.00	33.33
Total Reserves/Contingency	157,600.00	0.00	0.00	0.00	157,600.00	157,600.00	0.00
<b>Total Expenditures</b>	<b>2,446,900.00</b>	<b>202,239.97</b>	<b>759,423.47</b>	<b>0.00</b>	<b>1,687,476.53</b>	<b>1,687,476.53</b>	<b>31.04</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-10,376.80</b>	<b>2,116.31</b>	<b>2,116.31</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 450

## WASTEWATER

### Revenues

	Budgeted	Current Revenue	LY	YTD Revenue	Uncollected Bal	% Collected
Total Sewer Fees-WW Fund	5,330,100.00	449,629.84	1,735,719	1,787,142.09	3,542,957.91	33.53
Total Interest Earned-WW Fund	7,031.00	922.01		1,523.13	5,507.87	21.66
Total Other Revenue-WW Fund	40,000.00	0.00		0.00	40,000.00	0.00
Total Cash Balance Fwd-WW Fund	3,453,869.00	0.00		0.00	3,453,869.00	0.00
<b>Total Revenues</b>	<b>8,831,000.00</b>	<b>450,551.85</b>		<b>1,788,665.22</b>	<b>7,042,334.78</b>	<b>20.25</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses-WW Fund	1,064,871.00	72,378.95	315,220.65	0.00	749,650.35	749,650.35	29.60
Total Operating Expenses-WW Fund	1,347,309.00	95,526.10	328,835.20	2,979.14	1,015,494.66	1,018,473.80	24.63
Total Capital Expenses-WW Fund	1,131,600.00	31,510.65	164,224.49	506,494.81	460,880.70	967,375.51	59.27
Total Debt Service-WW Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transfer to GF-WW Fund	260,000.00	21,666.66	86,666.64	0.00	173,333.36	173,333.36	33.33
Transfer to Utility Admin-WW Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transfer to Debt Fund-WW Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transfer to Utility Acquisition Debt Fund	651,989.00	54,332.42	217,329.68	0.00	434,659.32	434,659.32	33.33
Transfer to Water-WW Fund	600,000.00	50,000.00	200,000.00	0.00	400,000.00	400,000.00	33.33
Transfer to Sewer Capital-WW Fund	250,000.00	20,833.33	83,333.32	0.00	166,666.68	166,666.68	33.33
Total Contingency-WW Fund	3,525,231.00	0.00	0.00	0.00	3,525,231.00	3,525,231.00	0.00
<b>Total Expenditures</b>	<b>8,831,000.00</b>	<b>346,248.11</b>	<b>1,395,609.98</b>	<b>509,473.95</b>	<b>6,925,916.07</b>	<b>7,435,390.02</b>	<b>21.57</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>104,303.74</b>	<b>393,055.24</b>	<b>-116,418.71</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 460

## WATER

### Revenues

	Budgeted	Current Revenue	LY	YTD Revenue	Uncollected Bal	% Collected
Total Water Fees	3,753,023.00	308,028.43	1,193,457	1,226,996.51	2,526,026.49	32.69
Total Interest Earned-Water Fund	2,300.00	360.76		1,068.38	1,231.62	46.45
Total Other Revenue-Water Fund	21,000.00	3,111.17		7,591.94	13,408.06	36.15
Total Transfers In Wastewater	600,000.00	50,000.00		200,000.00	400,000.00	33.33
Total Bond Proceeds	0.00	0.00		0.00	0.00	0.00
Total Cash Balance Fwd-Water Fund	2,411,677.00	0.00		0.00	2,411,677.00	0.00
<b>Total Revenues</b>	<b>6,788,000.00</b>	<b>361,500.36</b>		<b>1,435,656.83</b>	<b>5,352,343.17</b>	<b>21.15</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses-Water Fund	921,562.00	67,453.35	288,280.03	0.00	633,281.97	633,281.97	31.28
Total Operating Expenses-Water Fund	1,368,388.00	88,636.16	267,253.19	6,262.06	1,094,872.75	1,101,134.81	19.99
Total Capital Expenses-Water Fund	303,500.00	95,053.71	98,038.21	54,391.00	151,070.79	205,461.79	50.22
Total Debt Service-Water Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transfers from Water to GF	160,000.00	13,333.33	53,333.32	0.00	106,666.68	106,666.68	33.33
Transfers from Water to GF	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transfer to Utility Acquisition Debt Service	1,778,109.00	148,175.75	592,703.00	0.00	1,185,406.00	1,185,406.00	33.33
Total Contingency-Water Fund	2,256,441.00	0.00	0.00	0.00	2,256,441.00	2,256,441.00	0.00
<b>Total Expenditures</b>	<b>6,788,000.00</b>	<b>412,652.30</b>	<b>1,299,607.75</b>	<b>60,653.06</b>	<b>5,427,739.19</b>	<b>5,488,392.25</b>	<b>20.04</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-51,151.94</b>	<b>136,049.08</b>	<b>75,396.02</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 470

## STORM WATER MANAGEMENT

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Grant Revenue	0.00	0.00	0.00	0.00	0.00
Total Grant Revenue	0.00	0.00	0.00	0.00	0.00
Total Fee for Services	270,908.00	22,903.12	91,218.94	179,689.06	33.67
Total Interest	0.00	0.00	0.00	0.00	0.00
Total Transfers	21,515.00	1,792.92	7,171.68	14,343.32	33.33
Total Cash Balance Forward	296,877.00	0.00	0.00	296,877.00	0.00
<b>Total Revenues</b>	<b>589,300.00</b>	<b>24,696.04</b>	<b>98,390.62</b>	<b>490,909.38</b>	<b>16.70</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses	59,083.00	1,197.25	4,789.00	0.00	54,294.00	54,294.00	8.11
Total Operating Expenses	312,290.00	16,171.76	39,772.15	0.00	272,517.85	272,517.85	12.74
Total Capital Expenses	160,000.00	4,939.79	13,255.04	7,500.00	139,244.96	146,744.96	12.97
Total Debt Service	43,030.00	0.00	43,030.18	0.00	-0.18	-0.18	100.00
Total Contingency	14,897.00	0.00	0.00	0.00	14,897.00	14,897.00	0.00
<b>Total Expenditures</b>	<b>589,300.00</b>	<b>22,308.80</b>	<b>100,846.37</b>	<b>7,500.00</b>	<b>480,953.63</b>	<b>488,453.63</b>	<b>18.39</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>2,387.24</b>	<b>-2,455.75</b>	<b>-9,955.75</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 480

## MARINA

### Revenues

	Budgeted	Current Revenue	LY	YTD Revenue	Uncollected Bal	% Collected
Total Grant Revenue	355,200.00	0.00		0.00	355,200.00	0.00
Total Slip Rentals-Permanent	250,000.00	17,807.25		74,325.12	175,674.88	29.73
Total Big P	0.00	0.00		0.00	0.00	0.00
Total Slip Rentals-Transient	480,000.00	22,219.30	215,193	177,627.50	302,372.50	37.01
Total Slip Rentals-Non-Taxable	7,000.00	-1,422.00		2,445.00	4,555.00	34.93
Total Business Rentals	54,500.00	5,017.97		18,433.58	36,066.42	33.82
Total Moorings	38,000.00	1,690.00		11,390.00	26,610.00	29.97
Total Merchandise for Resale	0.00	-558.17		750.79	-750.79	0.00
Total Services-Nontaxable	1,600.00	13.00		1,183.24	416.76	73.95
Total Services-Taxable	0.00	245.09		931.05	-931.05	0.00
Total Gasoline/Fuel	1,325,200.00	30,967.30		438,566.79	886,633.21	33.09
Total Interest Earned	0.00	0.00		0.00	0.00	0.00
Total Rents	10,700.00	902.16		3,608.64	7,091.36	33.73
Total Other Revenue	250.00	15.65		72.94	177.06	29.18
Total Transfers In	307,000.00	25,583.34		102,333.36	204,666.64	33.33
Total Loan Proceeds	0.00	0.00		0.00	0.00	0.00
Total Cash Balance Forward	-389,340.00	0.00		0.00	-389,340.00	0.00
<b>Total Revenues</b>	<b>2,440,110.00</b>	<b>102,480.89</b>		<b>831,668.01</b>	<b>1,608,441.99</b>	<b>34.08</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Operating Expenses	1,794,209.00	79,210.07	521,473.99	33,410.00	1,239,325.01	1,272,735.01	30.93
Total Capital Expenses	445,200.00	0.00	0.00	10,335.00	434,865.00	445,200.00	2.32
Total Debt Service	423,381.00	0.00	0.00	0.00	423,381.00	423,381.00	0.00
Total Transfers Out	117,938.00	9,828.17	39,312.68	0.00	78,625.32	78,625.32	33.33
Total Contingency-Marina Fund	-340,618.00	0.00	0.00	0.00	-340,618.00	-340,618.00	0.00
<b>Total Expenditures</b>	<b>2,440,110.00</b>	<b>89,038.24</b>	<b>560,786.67</b>	<b>43,745.00</b>	<b>1,835,578.33</b>	<b>1,879,323.33</b>	<b>24.77</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>13,442.65</b>	<b>270,881.34</b>	<b>227,136.34</b>			

	BUDGET	YTD	% OF BUD
FUEL SALES	1,325,200	438,567	33.09
FUEL COSTS	1,053,000	310,281	29.47
COST / SALES RATIO	79.46%	70.74%	

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 510

**CENTRAL GARAGE****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Interest Earned	130,000.00	0.00	0.00	130,000.00	0.00
Total Other Revenue	87,500.00	3,232.40	13,947.73	73,552.27	15.94
Total General Fund Fees	385,500.00	28,870.51	112,232.11	273,267.89	29.11
Total Enterprise Fund Fees	97,250.00	8,610.47	43,463.33	53,786.67	44.69
Total Gas/Oil Revenues	370,750.00	13,699.05	70,226.82	300,523.18	18.94
TOTAL TRANSFERS IN	50,000.00	4,166.67	16,666.68	33,333.32	33.33
Total Cash Balance Fwd	-71,000.00	0.00	0.00	-71,000.00	0.00
<b>Total Revenues</b>	<b>1,050,000.00</b>	<b>58,579.10</b>	<b>256,536.67</b>	<b>793,463.33</b>	<b>24.43</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Personnel Expenses	229,998.00	17,880.35	78,695.63	0.00	151,302.37	151,302.37	34.22
Total Operating Expenses	68,812.00	4,009.74	20,537.13	0.00	48,274.87	48,274.87	29.85
Total Capital Expenses	137,500.00	0.00	0.00	0.00	137,500.00	137,500.00	0.00
Total Cost Goods Sold	615,200.00	46,030.22	122,106.93	0.00	493,093.07	493,093.07	19.85
Totals Transfers to GF	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Totals Transfers to GF	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contingency	-1,510.00	0.00	0.00	0.00	-1,510.00	-1,510.00	0.00
<b>Total Expenditures</b>	<b>1,050,000.00</b>	<b>67,920.31</b>	<b>221,339.69</b>	<b>0.00</b>	<b>828,660.31</b>	<b>828,660.31</b>	<b>21.08</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-9,341.21</b>	<b>35,196.98</b>	<b>35,196.98</b>			

**Budget Summary Report**

Fiscal Year to Date Thru January 2016

Fund 520

**UTILITY BILLING****Revenues**

	<b>Budgeted</b>	<b>Current Revenue</b>	<b>YTD Revenue</b>	<b>Uncollected Bal</b>	<b>% Collected</b>
Total Admin Fees	32,000.00	2,636.89	10,039.59	21,960.41	31.37
Total Interest Earned	75,000.00	0.00	0.00	75,000.00	0.00
Total Other Revenue	476,200.00	39,938.82	159,021.26	317,178.74	33.39
Total General Fund Fees	0.00	0.00	0.00	0.00	0.00
Total Enterprise Fund Fees	0.00	0.00	0.00	0.00	0.00
Total Enterprise Fund Fees	0.00	0.00	0.00	0.00	0.00
Total Cash Balance Forward	31,300.00	0.00	0.00	31,300.00	0.00
<b>Total Revenues</b>	<b>614,500.00</b>	<b>42,575.71</b>	<b>169,060.85</b>	<b>445,439.15</b>	<b>27.51</b>

**Expenditures**

<b>Department</b>	<b>Budgeted</b>	<b>Current Expend</b>	<b>YTD Expend</b>	<b>YTD Encumb</b>	<b>Unencumb Bal</b>	<b>Unexpend Bal</b>	<b>% Exp</b>
Total Personnel Expenses	304,280.00	23,486.67	106,246.47	0.00	198,033.53	198,033.53	34.92
Total Operating Expenses	124,892.00	6,680.46	36,290.11	125.00	88,476.89	88,601.89	29.16
Total Depreciation Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Mach/Equip	150,000.00	0.00	0.00	0.00	150,000.00	150,000.00	0.00
Total Contingency	35,328.00	0.00	0.00	0.00	35,328.00	35,328.00	0.00
<b>Total Expenditures</b>	<b>614,500.00</b>	<b>30,167.13</b>	<b>142,536.58</b>	<b>125.00</b>	<b>471,838.42</b>	<b>471,963.42</b>	<b>23.22</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>12,408.58</b>	<b>26,524.27</b>	<b>26,399.27</b>			

# Budget Summary Report

Fiscal Year to Date Thru January 2016

Fund 530

## UTILITES ADMINISTRATION

### Revenues

	Budgeted	Current Revenue	YTD Revenue	Uncollected Bal	% Collected
Total Interest Earned	0.00	0.00	0.00	0.00	0.00
Total Other Revenue	313,000.00	26,083.32	104,333.28	208,666.72	33.33
Total General Fund Fees	0.00	0.00	0.00	0.00	0.00
Total Enterprise Fund Fees	0.00	0.00	0.00	0.00	0.00
Total Cash Balance Forward	122,200.00	0.00	0.00	122,200.00	0.00
<b>Total Revenues</b>	<b>435,200.00</b>	<b>26,083.32</b>	<b>104,333.28</b>	<b>330,866.72</b>	<b>23.97</b>

### Expenditures

Department	Budgeted	Current Expend	YTD Expend	YTD Encumb	Unencumb Bal	Unexpend Bal	% Exp
Total Personnel Expenses	316,681.00	24,630.50	107,787.62	0.00	208,893.38	208,893.38	34.04
Total Operating Expenses	42,723.00	3,784.41	9,456.78	0.00	33,266.22	33,266.22	22.14
Total Depreciation Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contingency	75,796.00	0.00	0.00	0.00	75,796.00	75,796.00	0.00
<b>Total Expenditures</b>	<b>435,200.00</b>	<b>28,414.91</b>	<b>117,244.40</b>	<b>0.00</b>	<b>317,955.60</b>	<b>317,955.60</b>	<b>26.94</b>
<b>Revenues vs. Expenditures</b>	<b>0.00</b>	<b>-2,331.59</b>	<b>-12,911.12</b>	<b>-12,911.12</b>			

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016-16**  
Sole Source Purchase Approval – Trinity Electrical Services, Inc.

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016-16**

SYNOPSIS: Section E.6 of the Purchasing Policy requires that accumulated purchases for a sole source vendor not exceed \$20,000 per year. Any purchases over \$20,000 require City Commission approval.

The purpose of this Resolution is to obtain Commission approval for Trinity Electrical Services, Inc. to be a sole source vendor in the current fiscal year for repairs to the runway lights, taxiway lights, in pavement lights, ID signs and REIL lights. In September, 2015, Trinity Electrical Services began working on lightning damaged equipment; however, repairs grew in complexity due to the unrealized extensiveness of the lightning damage. Staff contacted Trinity Electrical Services to make the repairs due to its familiarity with the electrical layout of Airport along with its certification and insurance to repair general and commercial Airport equipment.

More work is required than originally estimated. It is anticipated that purchases/services from this vendor will exceed \$20,000 for repairs in FY 2015/2016.

FISCAL IMPACT: The current total amount of repairs necessary is approximately \$25,275.10. A portion of these repairs covered by insurance (including our deductible amount) will be charged to the Insurance Liability account, 631-220.1000. Other costs, not covered by insurance, are available in the Airport R/M Grounds account, 420-4200-542.4610.

2015 STRATEGIC PRIORITIES:

<input type="checkbox"/> Waterfront Funding (Priority 1)	<input type="checkbox"/> Fire Department (Priority 1)
<input type="checkbox"/> 8 <sup>th</sup> Street (Priority 1)	<input type="checkbox"/> Department Goals (Priority 1)
<input type="checkbox"/> Trolley System (Priority 2)	<input type="checkbox"/> Beach Renourishment (Priority 2)
<input type="checkbox"/> 4 Year Terms (Priority 2)	<input type="checkbox"/> 8 <sup>th</sup> Street Entrance (Priority 2)
<input type="checkbox"/> Waterfront Park- Lot B (Priority 3)	

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2016-16. *DLM*

DEPARTMENT DIRECTOR	Submitted by: Dale L. Martin <i>DLM</i> City Manager	Date: 1/27/16
CONTROLLER	Approved as to Budget Compliance <i>PHC</i>	Date: 1/29/16
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: 2/5/16
CITY MANAGER	Approved Agenda Item for 02/16/2016 <i>DLM</i>	Date: 1/27/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING PURCHASES THAT WILL EXCEED \$20,000 FROM TRINITY ELECTRICAL SERVICES, INC. FOR FISCAL YEAR 2015/2016; APPROVING TRINITY ELECTRICAL SERVICES, INC. AS A SOLE SOURCE PROVIDER FOR RUNWAY, TAXIWAY, AND SAFETY EQUIPMENT REPAIRS IN FY 2015/2016; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section E.6 of the Purchasing Policy requires that accumulated purchases for a sole source vendor may not exceed \$20,000 per year; and

WHEREAS, any purchases that exceed \$20,000 require approval by the City Commission; and

WHEREAS, electric repair services to the Runways and Taxiways at the Airport damaged by recent lightning storms will exceed \$20,000 for FY 2015/2016; and

WHEREAS, an insurance claim has been filed and reimbursement will cover most of the repairs to runway and taxiway equipment; and

WHEREAS, a portion of these repairs covered by insurance (including our deductible amount) will be charged to the Insurance Liability account, 631-220.1000. Other costs, not covered by insurance, are available in the Airport R/M Grounds account, 420-4200-542.4610.

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

SECTION 1. The City Commission hereby approves Trinity Electrical Services, Inc. as a sole source vendor for lights, signs and safety equipment to runways and taxiways in excess of \$20,000 in FY 2015/2016.

SECTION 2. This Resolution shall become effective immediately upon passage.

ADOPTED this 16th day of February, 2016.

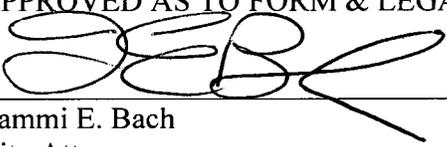
CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Caroline Best  
City Clerk

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

Trinity Electrical Services, Inc.  
 2317 Golden Isles West Suite 4  
 Baxley, GA 31513

# Invoice

Date	Invoice #
12/15/2015	804

<b>Bill To</b>
Fernandina Airport Attn: Bobby 700 Airport Road Fernandina Beach, FL 32034

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Installed 31 Taxi/Runway transformers and bulbs and heat shrink back ends	6,200.00	6,200.00
	Replace parts (owner furnished) on LED Reils	250.00	250.00
	Replace P-4 power adaptor on reils on Runway 4end	5,850.00	5,850.00
	Replace transformers and bulbs and heat shrink on 10 in pavement lights	2,500.00	2,500.00

Received  
 DEC 17 2015  
 City Manager's Office

Phone #	Fax #
912-366-7773	912-366-7776

**Total** \$14,800.00

Trinity Electrical Services, Inc.  
 2317 Golden Isles West Suite 4  
 Baxley, GA 31513

# Invoice

Date	Invoice #
1/14/2016	852

<b>Bill To</b>
Fernandina Airport Attn: Bobby 700 Airport Road Fernandina Beach, FL 32034

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Parts for Inpavement Lights that were reused		
	12 - Terminal Block Assembly	192.00	192.00
	6 - O Ring Top Cover	84.00	84.00
	7 - Additional Inpavement Light Repairs	1,750.00	1,750.00
		<b>Total</b>	<b>\$2,026.00</b>

Received  
 JAN 15 2016  
 City Manager's Office

Phone # 912-366-7773 Fax # 912-366-7776

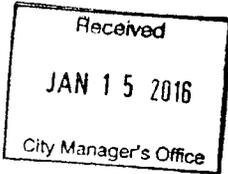
Trinity Electrical Services, Inc.  
 2317 Golden Isles West Suite 4  
 Baxley, GA 31513

# Invoice

Date	Invoice #
12/15/2015	805

Bill To
Fernandina Airport Attn: Bobby 700 Airport Road Fernandina Beach, FL 32034

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Additional work on Airfield:	0.00	0.00
	7 - Taxi / Runway Lights Repaired	1,400.00	1,400.00
	3- Additional Impavement Light Repair	750.00	750.00
	3 - LED Circuit Boards and Bulbs for taxi lights on Bravo	975.00	975.00
	Additional Parts for Papis on 13-31:		
	1 - LED Reil Power Assembly PCB	322.50	322.50
	1 - 1.-849 Reil Control Current Board	663.00	663.00
	5 - Hours Troubleshooting & installing	875.00	875.00
	Additional Parts for Reils on 4-22:		
	Still waiting in delivery	0.00	0.00
	3 - Hours Troubleshooting	525.00	525.00
	Repair Taxi Signs:		
	1 - Main Circuit Board	628.00	628.00
	1 - Transformer Installed	196.00	196.00
	4 - Bulbs	48.60	48.60
			
		<b>Total</b>	\$6,383.10

Phone #

912-366-7773

Fax #

912-366-7776

Trinity Electrical Services, Inc.  
 2317 Golden Isles West Suite 4  
 Baxley, GA 31513

# Estimate

Date	Estimate #
1/20/2016	081

Name / Address
Fernandina Airport Attn: Bobby 700 Airport Road Fernandina Beach, FL 32034

			Project
Description	Qty	Rate	Total
Repair the rails on runway 4-22 with the retro kit		0.00	0.00
Replace two transformers in runway sign on 4-22			
Trouble shoot rails at the end of 13-31 that has a few LED lights out on the new Circuit board			
Material for rails & signs		1,216.00	1,216.00
Labor & Mileage		850.00	850.00
<b>Total</b>			<b>\$2,066.00</b>

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016-17**  
Golf Equipment Purchase – R&R Products, Inc.

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016-17**

SYNOPSIS: According to the City’s Purchasing Policy, the Commission must approve any purchases over \$20,000. The Golf Course Director is requesting the City Commission’s approval to purchase three pieces of on-site used propane equipment from R & R, Inc. via a sole source in an amount not to exceed \$40,000. The proposed equipment purchase has been used for the past year at the golf course on a trial basis and is being offered at a discounted price to reflect the used aspect of the equipment.

FISCAL IMPACT: Funds for this item are included in the FY 2015/2016 Golf budget, Equipment account number 410-7260-572.6400.

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: No Additional Comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt Resolution

2016-17. *DLM*

DEPARTMENT DIRECTOR Submitted by: Steve Murphy *[Signature]* Date: 1/22/16  
Golf Director

CONTROLLER Approved as to Budget Compliance *HTC* Date: 2/16/16

CITY ATTORNEY Approved as to Form and Legality *TEB* Date: 1/26/16

CITY MANAGER Approved Agenda Item for 2/16/16 *DLM* Date: 1/22/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE PURCHASE OF GOLF EQUIPMENT VIA A SOLE SOURCE IN FISCAL YEAR 2015/2016; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section E.6 of the Purchasing Policy requires that accumulated purchases from a sole source vendor may not exceed \$20,000 per year. Any purchases that exceed \$20,000 require approval by the City Commission; and

WHEREAS, the Golf Course budgeted \$55,000 for the purchase of equipment and now wishes the Commission to approve the purchase of three pieces of equipment in an amount not to exceed \$40,000 from R&R Products, Inc. via a sole source authorization; and

WHEREAS, the equipment which runs on propane has been "on loan" to the Golf course for the past year on a trial basis. It is this specific equipment that the Golf course is seeking approval to purchase; and

WHEREAS, funds are available in the Golf Equipment account # 410-7260-572.6400 in FY 2015/2016.

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

SECTION 1. The City Commission hereby approves R & R Products, Inc. as a sole source vendor for the purchase of propane equipment as described on the Preliminary Quotation, attached hereto as Exhibit "A", in an amount not to exceed \$40,000.

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

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

ADOPTED this 16<sup>th</sup> day of February, 2016.

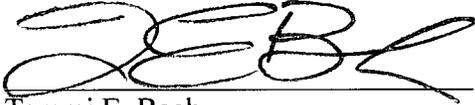
CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Caroline Best  
City Clerk

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

### Preliminary Quotation



#### R&R PRODUCTS, INC.

3334 East Milber Street  
Tucson, AZ 85714  
PH (520) 889 3593  
FAX (520) 294 1045

Page 1 of 1

Quotation No: R11389    Rev: 1    Customer No: 32034G    Your Reference: PERC  
Print Date: 1/25/16    Quotation Dt:    Expiration Dt:    Your RFQ No:  
Ship Via: COMMON CARRIER    Payment Terms: 30 Days Net

Billing Address:  
FERNANDINA BEACH MUNI GOLF COURSE  
ATTN: ACCOUNTS PAYABLE  
2800 BILL MELTON ROAD  
FERNANDINA BEACH, FL 32034-4335  
UNITED STATES

Delivery Address:  
FERNANDINA BEACH MUNI GOLF COURSE  
ATTN: GOLF COURSE MAINTENANCE  
2800 BILL MELTON ROAD  
FERNANDINA BEACH, FL 32034-4335  
UNITED STATES

Part No	Description	Qty	UM	Unit Price	Disc%	Ext. Price
RRM744LP	ReelMax 744LP - Propane, 2WD	1	EA	\$37,995.00	55.00	\$17,097.75
R150198G	Complete Standard Cutting Unit	5	EA	\$1,944.75	55.00	\$4,375.69
RGM2200LP	Greens Max 2200LP - 2WD Propane	1	EA	\$18,495.00	55.00	\$8,322.75
R150190G	Complete Dual Adj Cutting Unit	3	EA	\$1,556.95	55.00	\$2,101.88
RSM521LP	Sand Max 521LP - 3WD 21HP Propane, Power Steering	1	EA	\$13,495.00	55.00	\$6,072.75
R151069	Hitch Assy - Rear - Triangular - Vehicle Side	1	EA	\$695.00	55.00	\$312.75
R151080	Tooth Rake Attachment w/Triangle	1	EA	\$916.65	55.00	\$412.49
R08714	Manual Blade Assy	1	EA	\$1,131.40	55.00	\$509.13
<b>Sub-Total</b>						\$39,205.19
<b>Freight</b>						0.00
<b>Total</b>						<b>\$39,205.19</b>

EXHIBIT A:  
Buyout Quotation following 12 month testing period.

Accepted By 

**City of Fernandina Beach  
Sole Source / Modified Sole Source  
Emergency Procurement**

Department: Golf  
Director: S Murphy  
Date: 1/22/2016

Proposed Vendor	
Name:	R&R Products, Inc.
Address:	3334 East Milber St Tuscon, AZ 85714
Phone No.:	(520) 889-3593
email:	
FAX:	(520) 294-1045

Effective Date: 2/1/2016

Estimated Cost: \$ 40,000.00

Account Coding  
Account No.: 410-7260-572.6400  
Account Title: Golf Equipment

City Manager Approval \_\_\_\_\_ Date \_\_\_\_\_  
as per Code Sections 2-432 & 2-433

Is the Item Budgeted? Yes

Briefly describe the purchase or service: Purchase the 3 pieces of equipment and related accessories that we have used at the golf course on a trial basis this past year.

Is there an urgent need or an emergency preventing competitive methods? No  
If yes, please explain:

Is there only one product or service that can meet the specific needs or must the product or service be provided by this particular source? Yes

If yes, please explain:

This purchase is for equipment that the Golf course has been using on a trial basis this past year. This is at a discounted price to reflect the "used" aspect of the equipment. The offer cannot be competed because it is for specific equipment.

Has department ever purchased these same goods or services from this vendor?  
If yes, what purchasing procedures were followed? No

If for services, was an effort made to use existing City employees to perform services?  
If not, why not? N/A Equipment Purchase

**JUSTIFICATION**

Please explain why the City should acquire the goods or services through a non-competitive request rather than through the competitive process as outlined in the City's purchasing policies and procedures.

The offer cannot be competed because it is for specific on-site used equipment.

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016-18**  
Facilities Use Agreement – Team Fernandina Stingrays

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016-18**

SYNOPSIS: The City of Fernandina Beach Parks and Recreation Department provides facilities for local youth sports. Each organization is required to sign and abide by the terms and conditions of the City Facilities Use Agreement for sport teams.

Team Fernandina Stingrays Swim Team wishes to continue using the Atlantic Center Pool for swim meets and practice. Attached is the detailed Facilities Use Agreement between the City of Fernandina Beach and Team Fernandina Stingrays swim team.

FISCAL IMPACT: The organization is charged \$25 per hour for the use of the facility.

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2016-18. It should be noted, however, that the Use Agreement requires timely submission of schedules. *DEM*

DEPARTMENT DIRECTOR Submitted by: Nan S. Voit Date: 01/20/16  
Parks & Recreation Director  
CONTROLLER Approved as to Budget Compliance *PTK* Date: 2/5/16  
CITY ATTORNEY Approved as to Form and Legality *TEB* Date: 2/5/16  
CITY MANAGER Approved Agenda Item for 02/16/2016 *DEM* Date: 01/27/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE FACILITIES USE AGREEMENT FOR YOUTH SPORTS LEAGUES BETWEEN THE CITY OF FERNANDINA BEACH AND TEAM FERNANDINA STINGRAYS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach provides facilities for youth sports via a Facilities Use Agreement for sports leagues; and

WHEREAS, Team Fernandina Stingrays wishes to renew their agreement for the use of the Atlantic Recreation Center pool from January 1, 2016, through December 31, 2016, with the option to extend with mutual agreement for a maximum of three (3) one year terms.

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 with Team Fernandina Stingrays, attached hereto as Exhibit "1."

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 16<sup>th</sup> day of February, 2016.

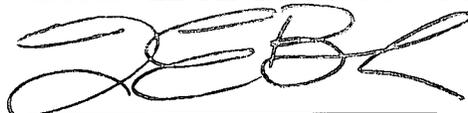
CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Caroline Best  
City Clerk

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

**CITY FACILITIES USE AGREEMENT  
FOR SPORT LEAGUES  
Team Fernandina Stingrays  
Atlantic Recreation Center Main Pool**

This CITY FACILITIES USE AGREEMENT is made and entered into this 13<sup>th</sup> day of January, 2016, 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 TEAM FERNANDINA STINGRAYS, whose address is PO BOX 14, Fernandina Beach, FL 32035 (herein called "USER").

WHEREAS, CITY owns that certain public facility known as ATLANTIC RECREATION CENTER MAIN POOL, located at 2500 ATLANTIC AVENUE, Fernandina Beach, FL 32034 (herein called "FACILITY"); and

WHEREAS, USER has expressed a desire to use said FACILITY to operate certain programs in the CITY; now, therefore,

WITNESSETH: That the parties agree as follows:

1. USER shall be permitted to use the facility described above, for the purpose of offering its program to the general public, to-wit, TEAM FERNANDINA STINGRAYS; youth competition swim team.
2. USER shall pay to the City the following fees to help offset the costs associated with USER's use of CITY's facility:
  - a. A per hour fee of twenty five dollars (\$25.00). Meet schedule shall be submitted within thirty (30) days of the start of the season. Said fee, based on the practice and meet schedule submitted and approved, shall be submitted to the CITY within ten business days of the beginning of the season. Practices/events cancelled, delayed, or shortened due to sudden severe weather incidents or lack of attendance shall not be credited.
3. USER shall be permitted the use of FACILITY on the following days and times:
  - a. January, February, March : 6:00pm-8:00pm, Tuesdays and Thursdays
  - b. April to River City Swim League Championship Meet: 7:00pm – 9:00pm, Monday through Thursday; 6 and under age group shall be permitted to use up to 2 lanes (western lanes) from 6:00pm – 7:00pm during this range of dates at no additional charge.
  - c. CITY will delay its FACILITY programming until 2 pm on Saturdays from Memorial Day weekend through June in order to accommodate scheduled swim meets.

- d. Access to pool on Fridays prior to Saturday swim meets will be granted after 9:00pm if there is a private pool party that night. Please check with staff to confirm if there is a party the Friday before the swim meet.
  - e. CITY will end its programming by 4pm on one weekday evening between Memorial Day and the end of June in order to accommodate a scheduled evening swim meet for religious purposes.
  - f. Other: to be determined by mutual agreement between facility supervisor and USER in accordance with facility availability.
4. USER will provide to the CITY a signed affidavit that they are in compliance with SB 150. Affidavit and SB 150 are attached as Exhibit "A" and "B" respectfully.
5. As condition to USER's right to use the facility herein, USER agrees to and shall comply with the following:
- a. USER shall operate and maintain a community service or program.
  - g. USER shall not exclude any person from its programs or services because of race, sex, age, religion, disability, national origin or other prohibited discrimination.
  - h. USER shall have a competent, responsible and able adult on the premises at all times that its service or programs are being offered. This party shall be responsible for enforcing pool safety rules as set forth by the CITY.
  - d. USER shall monitor parking and positioning of spectators and participants to ensure that facility access and adequate parking for other programming is maintained.
  - e. The needs of the community shall be given consideration in the planning of the USER's programs or services, and therefore the parties agree that joint meetings will be held as needed, to facilitate mutual cooperation and to make possible regular re-examination of the effectiveness of the USER's program at the facility.
  - f. USER shall be responsible for the abuse and destruction of property not due to ordinary wear and tear that occurs during the hours that USER operates its programs or services.
  - g. USER shall keep premises used by it in a clean and sanitary condition, the USER agreement includes, but shall not be limited to:
    - i. Cleaning the locker rooms and restocking paper products in said locker rooms after swim meets (CITY will provide USER with a key to all dispensers and access to paper products), and
    - ii. Daily pick-up and removal of all trash and relining of all trash cans immediately following USER swim meets; and

- iii. Removing all swim team equipment and personal items from pool deck and locker rooms immediately after use.
  - iv. Should USER fail to comply with this sub-section (f), then a \$100.00 fee will be billed to the USER, and this fee must be paid within 10 days or the continued use of FACILITY will not be permitted. USER shall be responsible for the abuse and destruction of property not due to ordinary wear and tear that occurs during the hours that USER operates its program or service.
- h. Aquatics Building: USER shall have full use of “Swim Team Storage Room” and use of “Meeting Room” when needed, year-round. USER shall have use of “Concession Stand” during scheduled swim meets. Schedule “Meeting Room” time with the front desk staff.
- i. CITY shall have the right, acting through its agents or employees, to enter upon the premises at reasonable hours and times for the purpose of making inspections.
- j. USER shall not undertake any alterations or changes in the construction of the facility premises without prior written consent of CITY. Any and all requests for alterations must be submitted in writing to the Director of Parks and Recreation, and be signed by the Board president and one (1) other team official.
- k. 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.
- l. USER shall not rent, sublet, or assign space in the facility premises without the prior written consent of CITY.
- m. USER is responsible for securing the licensing, maintenance and upkeep of FACILITY’s concession stand if used during the time allotted by the contract. Concession stand equipment owned by CITY or Lessee may not be used, moved or

altered without permission from FACILITY supervisor. The USER will be allowed a reasonable amount of counter space to operate its swim meet concessions.

- n. CITY reserves the right to cancel this agreement at any time, without cause, by giving USER 30 days notice of such cancellation.
  - o. USER shall maintain liability insurance, in amounts as deemed necessary and appropriate by the Recreation Director, show the City of Fernandina Beach, 204 Ash St., Fernandina Beach, FL 32034 as additionally insured thereon, and shall provide proof of it to CITY, upon commencement of this Agreement, and thereafter, as required by CITY.
  - p. USER shall, at all times, abide by Federal, State, and local laws, in the operation of its programs or services at the facility.
6. ADDITIONAL PROVISIONS:
- a. For unscheduled meets and practices, USER must give CITY two week notice.
  - b. Schedules shall be submitted by the following dates:

Winter season start and end dates:	December 1 <sup>st</sup>
Summer season start date:	December 15 <sup>th</sup>
Full summer season practice and meet schedule:	April 1 <sup>st</sup>
  - c. USER shall be permitted to use starting blocks during established practice times and swim meets. USER shall ensure that all participants are trained in the proper and safe use of the starting blocks.
  - d. USER shall direct all spectators to remain a minimum distance of 4 feet from the pool's edge. The kiddie pool is off limits.
  - e. USER shall provide and ensure that an individual currently certified in CPR and 1<sup>st</sup> Aid through a nationally recognized agency (American Red Cross, YMCA, National Safety Council, etc.) is present on the pool deck during all activities.
  - f. USER shall be responsible for securing facility after each event. The CITY shall provide the combination lock and chain system for securing facility gates and a key and security code for Aquatics Building. In the event USER loses the lock and chain or key, a \$25.00 fee shall be assessed to the USER.
  - g. When called for, USER shall be responsible for placing pool vacuum in pool and installing insulating pool covers after pool use.
  - h. USER shall return all deck furniture and safety equipment to its rightful place if repositioned during facility use.
  - i. USER shall remove all sponsorship signs from fences within one month after the end of the current season. USER is responsible for any damage to fences caused by signs.

CITY will remove any remaining signs after one month, and USER will pay CITY \$25 to retrieve signs.

- j. USER shall be responsible for any overtime hours incurred by CITY's employees due to services rendered for USER after normal working hours. The rate will be time and one-half. An invoice will be mailed to USER, and payment will be due within two (2) weeks of date of invoice.
- k. Severe weather procedures shall be enforced by USER:
  - i. procedures must be announced before swim meet, and
  - ii. USER shall remove all spectators, volunteers and participants from the pool, and pool deck in accordance with posted Thor Guard Lightning Warning system procedures and
  - iii. In severe weather conditions participants and spectators may occupy the auditorium (if vacant) and adjacent hallway located inside the Atlantic Recreation Center. A key to the auditorium kitchen shall be provided for auditorium access.
  - iv. User is responsible for all swim teams and spectators that use FACILITY during swim meets and other CITY facilities during severe weather.

8. TERM OF AGREEMENT. The term of the Agreement begins on Jan. 22<sup>nd</sup> and ends on December 30 (1 year) unless terminated sooner or extended as provided in this Agreement.

- a. If the USER has fully and faithfully complied with this Agreement, the Agreement may be extended for one-year terms up to a maximum of three (3) one-year terms based upon the mutual agreements of the parties. All the terms and conditions of the original Agreement shall apply to all extended Agreement terms, unless otherwise modified by agreement of both parties hereto.
- b. The addresses for giving notices are as follows:

CITY:  
City of Fernandina Beach  
Attn: Parks and Recreation Director  
2500 Atlantic Avenue  
Fernandina Beach, FL 32034

USER:

Team Fernandina Stingrays  
Attn: ~~Paul Martinez~~ Jose J. Hernandez  
TEAM PRESIDENT.

PO Box 14  
Fernandina Beach, Fl 32035

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

USER  
By: President (sm)  
Its:

Employer ID Number: (required)

59-3726719

CITY OF FERNANDINA BEACH

By: \_\_\_\_\_

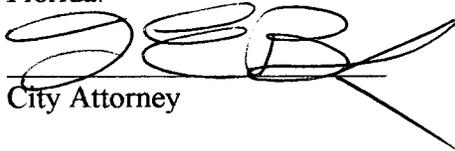
Its: City Manager

ATTEST:

By: \_\_\_\_\_

Its: City Clerk

Approved as to form and legality for use and  
reliance by the City of Fernandina Beach,  
Florida.

  
\_\_\_\_\_  
City Attorney

AFFIDAVIT

State of Florida  
County of Nassau

I, Jennifer Gower, being first duly sworn, depose and state as follows:

1. That I am the authorized representative of Team Fernandina Stingrays ("TFS"); and

2. That part of my duties includes processing applications for coaches and volunteers; and

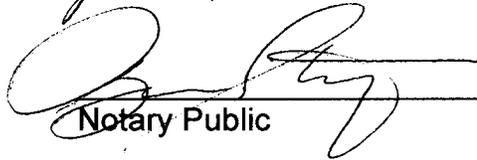
3. That all coaches and volunteers working with Team Fernandina Stingrays ("TFS") have received background checks and are in compliance with Florida law, specifically SB 150 effective July 1, 2010. See attached copy of SB 150.

FURTHER AFFIANT SAYETH NAUGHT.

  
Signature  
Print Name: Jennifer Gower

Subscribed and sworn to before me, a notary public in and for the State of Florida this 19<sup>th</sup> day of January, 2016.

(Seal)  ROSEANN STANZIANO  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF082376  
Expires 2/12/2018

  
Notary Public

2010150er

1  
2 An act relating to athletic coaches; defining the  
3 terms "athletic coach" and "independent sanctioning  
4 authority"; requiring the independent sanctioning  
5 authority of a youth athletic team to screen the  
6 background of current and prospective athletic coaches  
7 through designated state and federal sex offender  
8 registries; providing that a commercial consumer  
9 reporting agency screening that meets specified  
10 requirements complies with screening requirements;  
11 requiring the independent sanctioning authority to  
12 disqualify any athletic coach appearing on a registry;  
13 requiring the independent sanctioning authority to  
14 provide a disqualified athletic coach with written  
15 notice; requiring the independent sanctioning  
16 authority to maintain documentation of screening  
17 results and disqualification notices; providing a  
18 rebuttable presumption that an independent sanctioning  
19 authority did not negligently authorize an athletic  
20 coach for purposes of a civil action for an  
21 intentional tort relating to alleged sexual misconduct  
22 by the athletic coach if the authority complied with  
23 the screening and disqualification requirements;  
24 encouraging independent sanctioning authorities for  
25 youth athletic teams to participate in the Volunteer  
26 and Employee Criminal History System; providing an  
27 effective date.

28  
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Athletic coaches for independent sanctioning authorities.—

(1) As used in this section, the term:

(a) "Athletic coach" means a person who:

1. Is authorized by an independent sanctioning authority to work for 20 or more hours within a calendar year, whether for compensation or as a volunteer, for a youth athletic team based in this state; and

2. Has direct contact with one or more minors on the youth athletic team.

(b) "Independent sanctioning authority" means a private, nongovernmental entity that organizes, operates, or coordinates a youth athletic team in this state if the team includes one or more minors and is not affiliated with a private school as defined in s. 1002.01, Florida Statutes.

(2) An independent sanctioning authority shall:

(a)1. Conduct a background screening of each current and prospective athletic coach. No person shall be authorized by the independent sanctioning authority to act as an athletic coach after July 1, 2010, unless a background screening has been conducted and did not result in disqualification under paragraph

(b). Background screenings shall be conducted annually for each athletic coach. For purposes of this section, a background screening shall be conducted with a search of the athletic coach's name or other identifying information against state and federal registries of sexual predators and sexual offenders, which are available to the public on Internet sites provided by:

a. The Department of Law Enforcement under s. 943.043,

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59 Florida Statutes; and

60 b. The Attorney General of the United States under 42  
61 U.S.C. s. 16920.

62 2. For purposes of this section, a background screening  
63 conducted by a commercial consumer reporting agency in  
64 compliance with the federal Fair Credit Reporting Act using the  
65 identifying information referenced in subparagraph 1. and that  
66 includes searching that information against the sexual predator  
67 and sexual offender Internet sites listed in sub-subparagraphs  
68 1.a. and b. shall be deemed in compliance with the requirements  
69 of this section.

70 (b) Disqualify any person from acting as an athletic coach  
71 if he or she is identified on a registry described in paragraph  
72 (a).

73 (c) Provide, within 7 business days following the  
74 background screening under paragraph (a), written notice to a  
75 person disqualified under this section advising the person of  
76 the results and of his or her disqualification.

77 (d) Maintain documentation of:

78 1. The results for each person screened under paragraph  
79 (a); and

80 2. The written notice of disqualification provided to each  
81 person under paragraph (c).

82 (3) In a civil action for the death of, or injury or damage  
83 to, a third person caused by the intentional tort of an athletic  
84 coach that relates to alleged sexual misconduct by the athletic  
85 coach, there is a rebuttable presumption that the independent  
86 sanctioning authority was not negligent in authorizing the  
87 athletic coach if the authority complied with the background

2010150er

88 screening and disqualification requirements of subsection (2)  
89 prior to such authorization.

90 (4) The Legislature encourages independent sanctioning  
91 authorities for youth athletic teams to participate in the  
92 Volunteer and Employee Criminal History System, as authorized by  
93 the National Child Protection Act of 1993 and s. 943.0542,  
94 Florida Statutes.

95 Section 2. This act shall take effect July 1, 2010.





# ADDITIONAL INTEREST SCHEDULE

DATE (MM/DD/YYYY)  
10/29/2015

AGENCY		CARRIER United States Fire Insurance Company		NAIC CODE 21113
POLICY NUMBER SRPGP-101-0715/USP196118		EFFECTIVE DATE 01/02/2016	NAMED INSURED(S) TEAM FERNANDINA STINGRAYS	

### ADDITIONAL INTEREST (Not all fields apply to all scenarios – provide only the necessary data)

INTEREST <input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER	<input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	NAME AND ADDRESS RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
		CITY OF FERNANDINA 204 ASH ST. FERNANDINA BEACH, FL 4		REFERENCE / LOAN #:	INTEREST END DATE:		LOCATION:	BUILDING:
		LIEN AMOUNT:	PHONE (A/C, No, Ex):	FAX (A/C, No):		VEHICLE:	BOAT:	
				AIRPORT:	AIRCRAFT:	ITEM CLASS:	ITEM:	
				ITEM DESCRIPTION				

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST <input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER	<input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	NAME AND ADDRESS RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
				REFERENCE / LOAN #:	INTEREST END DATE:		LOCATION:	BUILDING:
		LIEN AMOUNT:	PHONE (A/C, No, Ex):	FAX (A/C, No):		VEHICLE:	BOAT:	
				AIRPORT:	AIRCRAFT:	ITEM CLASS:	ITEM:	
				ITEM DESCRIPTION				

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST <input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER	<input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	NAME AND ADDRESS RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
				REFERENCE / LOAN #:	INTEREST END DATE:		LOCATION:	BUILDING:
		LIEN AMOUNT:	PHONE (A/C, No, Ex):	FAX (A/C, No):		VEHICLE:	BOAT:	
				AIRPORT:	AIRCRAFT:	ITEM CLASS:	ITEM:	
				ITEM DESCRIPTION				

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST <input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER	<input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	NAME AND ADDRESS RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
				REFERENCE / LOAN #:	INTEREST END DATE:		LOCATION:	BUILDING:
		LIEN AMOUNT:	PHONE (A/C, No, Ex):	FAX (A/C, No):		VEHICLE:	BOAT:	
				AIRPORT:	AIRCRAFT:	ITEM CLASS:	ITEM:	
				ITEM DESCRIPTION				

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST <input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER	<input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	NAME AND ADDRESS RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
				REFERENCE / LOAN #:	INTEREST END DATE:		LOCATION:	BUILDING:
		LIEN AMOUNT:	PHONE (A/C, No, Ex):	FAX (A/C, No):		VEHICLE:	BOAT:	
				AIRPORT:	AIRCRAFT:	ITEM CLASS:	ITEM:	
				ITEM DESCRIPTION				

REASON FOR INTEREST:

E-MAIL ADDRESS:

The above are added as additional insured but only with respect to liability arising out of operations of the named insured during the policy period.

# Invoice

To: Team Fernandina Stingrays  
PO Box 14  
Fernandina Beach, FL 32035

From: City of Fernandina Beach  
Parks and Recreation Dept.  
2500 Atlantic Ave.  
Fernandina Beach, FL 32034

Date: November 2, 2015

For: Atlantic Pool facility use by Team Fernandina Stingrays Swim Team

\*\*\*\*\*

## Winter, 2016:

### 2015-16 TFS Winter Schedule

January	February	March
	2	1
	4	3
	9	8
	11	10
19	16	15
21	18	17
26	23	
28	25	

summer schedule starts April 4

18 sessions x 2 hours each x \$25/hr

**TOTAL .....\$ 900**

**Please submit payment to the above address, attention Scott Mikelson**

*pd. 1-14-16  
ck. # 2310  
\$900.00*

### TFS Dates Renting the Rec Center Pool

Practices are from 7pm to 9pm

Saturday meets are from 8am to 1pm / Thursday meets are from 4pm to 9pm

<b>April</b>	
Monday	4
Tuesday	5
Wednesday	6
Thursday	7
Monday	11
Tuesday	12
Wednesday	13
Thursday	14
Monday	18
Tuesday	19
Wednesday	20
Thursday	21
Monday	25
Tuesday	26
Wednesday	27
Thursday	28
<b>TOTAL DAYS</b>	<b>16</b>
<b>TOTAL MEETS</b>	<b>0</b>

<b>May</b>	
Monday	2
Tuesday	3
Wednesday	4
Thursday	5
Monday	9
Tuesday	10
Wednesday	11
Thursday	12
Monday	16
Tuesday	17
Wednesday	18
Thursday	19
Monday	23
Tuesday	24
Wednesday	25
Thursday	26
Tuesday	31
<b>TOTAL DAYS</b>	<b>17</b>
<b>TOTAL MEETS</b>	<b>0</b>

<b>June</b>	
Wednesday	1
Thursday	2
<b>Saturday</b>	<b>4</b>
Monday	6
Tuesday	7
Wednesday	8
Thursday	9
<b>Saturday</b>	<b>11</b>
Monday	13
Tuesday	14
Wednesday	15
Thursday	16
<b>Saturday</b>	<b>18</b>
Monday	20
Tuesday	21
Wednesday	22
Thursday	23
<b>Saturday</b>	<b>25</b>
Monday	27
Tuesday	28
Wednesday	29
<b>Thursday</b>	<b>30</b>
<b>TOTAL DAYS</b>	<b>17</b>
<b>TOTAL MEETS</b>	<b>5</b>

<b>July</b>	
Tuesday	5
Wednesday	6
Thursday	7
Monday	11
Tuesday	12
Wednesday	13
Thursday	14
Monday	18
Tuesday	19
Wednesday	20
<b>TOTAL DAYS</b>	<b>10</b>
<b>TOTAL MEETS</b>	<b>0</b>

#### Practices

	Days	Hours
April	16	32
May	17	34
June	17	34
July	10	20
<b>Total</b>	<b>60</b>	<b>120</b>

Auditorium requests:

TBD

#### Meets

	Days	Hours
May	0	5
June	5	25
July	0	5
<b>Total</b>	<b>5</b>	<b>35</b>

**\*Practices are for two hours**

**\*Meets are for five hours**

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016-19**  
Budget Amendment – Community Development Department

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016- 19**

SYNOPSIS: According to Code Sec 2-412 and Charter section 74, the Commission must approve any budget transfers over \$7,500. The FY 2015/2016 Salaries Budget in the Code Enforcement department was under-budgeted due to a math error.

FISCAL IMPACT: The proposed budget amendment transfers \$8,000 from the Code Enforcement Part Time account, 001-2420-524.1350 to the Salaries account, 001-24200-524.1200 so sufficient funds will be in the Salaries account. The Director and HR have not found a part-time employee to fill the vacant slot largely due to the small number of hours, but this transfer now precludes continued posting of the position due to lack of funds in this fiscal year.

2015 STRATEGIC PRIORITIES:

<input type="checkbox"/> Waterfront Funding (Priority 1)	<input type="checkbox"/> Fire Department (Priority 1)
<input type="checkbox"/> 8 <sup>th</sup> Street (Priority 1)	<input type="checkbox"/> Department Goals (Priority 1)
<input type="checkbox"/> Trolley System (Priority 2)	<input type="checkbox"/> Beach Renourishment (Priority 2)
<input type="checkbox"/> 4 Year Terms (Priority 2)	<input type="checkbox"/> 8 <sup>th</sup> Street Entrance (Priority 2)
<input type="checkbox"/> Waterfront Park- Lot B (Priority 3)	

CITY ATTORNEY COMMENTS: None.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2016-~~19~~<sup>19</sup> *DLM*.

DEPARTMENT DIRECTOR	Submitted by: Adrienne Burke CDD Director	Date: 1/27/2016
CONTROLLER	Approved as to Budget Compliance <i>PTC</i>	Date: 1/27/2016
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: <i>2/5/16</i>
CITY MANAGER	Approved Agenda Item for 2/16/16 <i>DLM</i>	Date: 1/28/2016

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the FY 2015/2016 Salaries budget in the Code Enforcement department was under-budgeted by approximately \$8,000 due to a math error; and

WHEREAS, funds are available in the Code Enforcement Part Time Salaries account because the Community Development Department Director and Human Resources Director have been unable to find a Part Time employee to fill the vacant slot; and

WHEREAS, staff recommends the following budget amendment to allow for sufficient funding in the Salaries account, a transfer of \$8,000 from the Part-Time Salaries account, 001-2420-524.1350 to the Salaries account, 001-2420-524.1200.

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 following budget amendment: a transfer of \$8,000 from the Part-Time Salaries account, 001-2420-524.1350 to the Salaries account, 001-2420-524.1200.

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 16th day of February, 2016.

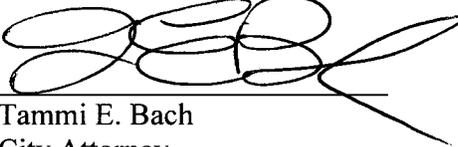
ATTEST:

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
Caroline Best  
City Clerk

\_\_\_\_\_  
John A Miller  
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

**CITY OF FERNANDINA BEACH  
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 1/26/2016

DEPARTMENT: Code Enforcement

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

FROM	TO	AMOUNT
001-2420-524.1350 Part Time	001-2420-524.1200 Salaries	8,000

REASON FOR TRANSFER:

To transfer funds for underbudgeted salaries amount.

\_\_\_\_\_  
DEPARTMENT HEAD SIGNATURE

RECOMMENDATIONS/COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CONTROLLER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CITY MANAGER

\_\_\_\_\_  
DATE

**CITY COMMISSION AGENDA ITEM**  
*City of Fernandina Beach*



**SUBJECT: Resolution 2016-20**  
 Budget Amendment - Fire Department

ITEM TYPE:                       Ordinance                       Resolution                       Other  
     Proclamation                       Presentation

**REQUESTED ACTION: Approve Resolution 2016-20**

**SYNOPSIS:** According to Code Sec 2-412 and Charter section 74, the City Commission must approve any budget transfers over \$7,500. The FY 2015/2016 budget included the acquisition of a new pumper truck for the Fire department and includes an initial debt service payment of \$24,500 (\$16,300 Principal and \$8,200 Interest). Based on the semi-annual payment schedule (over a five year amortization schedule) the initial debt service payment will be \$47,282.73. As a result, a budget amendment is needed to cover the difference, \$22,800.

**FISCAL IMPACT:** The proposed budget amendment transfers \$5,000 from the Capital Improvement Fund's Interest account, 300-3000-519.7200 and another \$22,800 from the Reserve account, 300-3000-581.9520 to the Principal account, 300-3000-519.7100 so sufficient funds will be in the proper accounts for the initial debt service payment. See Exhibit "A", Amortization Schedule.

**2015 STRATEGIC PRIORITIES:**

<input type="checkbox"/> Waterfront Funding (Priority 1)	<input type="checkbox"/> Fire Department (Priority 1)
<input type="checkbox"/> 8 <sup>th</sup> Street (Priority 1)	<input checked="" type="checkbox"/> Department Goals (Priority 1)
<input type="checkbox"/> Trolley System (Priority 2)	<input type="checkbox"/> Beach Renourishment (Priority 2)
<input type="checkbox"/> 4 Year Terms (Priority 2)	<input type="checkbox"/> 8 <sup>th</sup> Street Entrance (Priority 2)
<input type="checkbox"/> Waterfront Park- Lot B (Priority 3)	

**CITY ATTORNEY COMMENTS:** None

**CITY MANAGER RECOMMENDATION(S):** I recommend that the City Commission adopt proposed Resolution 2016-20. *DLM*

<b>DEPARTMENT DIRECTOR</b>	Submitted by: Ty Silcox Fire Chief	Date: 1/22/2016
<b>CONTROLLER</b>	Approved as to Budget Compliance <i>PHC</i>	Date: 1/22/2016
<b>CITY ATTORNEY</b>	Approved as to Form and Legality <i>TEB</i>	Date: 1/22/2016
<b>CITY MANAGER</b>	Approved Agenda Item for 2/16/16 <i>DLM</i>	Date: 1/29/2016

**COMMISSION ACTION:**

<input type="checkbox"/> Approved As Recommended	<input type="checkbox"/> Disapproved
<input type="checkbox"/> Approved With Modification	<input type="checkbox"/> Postponed to Time Certain
<input type="checkbox"/> Other	<input type="checkbox"/> Tabled

RESOLUTION 2016-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the FY 2015/2016 budget included the acquisition of a new pumper truck for the Fire department and included an initial debt service payment of \$24,500, \$16,300 for Principal and \$8,200 for Interest; and

WHEREAS, based on the semi-annual payment schedule (see Exhibit "A"), the debt service payment due upon delivery will be \$47,282.73; and

WHEREAS, staff recommends the following budget amendment to ensure sufficient funds may be available in the proper accounts: a transfer of \$27,800 to the Capital Improvement Fund's Principal account, 300-3000-519.7100 from the Interest account, 300-3000-519.7200 (\$5,000), and from the Reserve account, 300-3000-581.9520 (\$22,800).

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 following budget amendment: a transfer of \$27,800 to the Capital Improvement Fund's Principal account, 300-3000-519.7100 from the Interest account, 300-3000-519.7200 (\$5,000), and from the Reserve account, 300-3000-581.9520 (\$22,800).

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 16<sup>th</sup> day of February, 2016.

ATTEST:

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
Caroline Best  
City Clerk

\_\_\_\_\_  
John A Miller  
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Tammi E. Bach  
City Attorney

fernandina beach				
Compound Period:		Semiannual		
Nominal Annual Rate:		2.900%		
CASH FLOW DATA				
Event	Date	Amount	Number	
1 Loan	1/27/2016	440,363.00	1	
2 Payment	4/27/2016	47,282.73	10	
AMORTIZATION SCHEDULE - Normal Amortization				
Date	Payment	Interest	Principal	
Loan 1/27/2016				
1 4/27/2016	47,282.73	3,183.88	44,098.85	
2 10/27/2016	47,282.73	5,745.83	41,536.90	
3 4/27/2017	47,282.73	5,143.55	42,139.18	
4 10/27/2017	47,282.73	4,532.53	42,750.20	
5 4/27/2018	47,282.73	3,912.65	43,370.08	
6 10/27/2018	47,282.73	3,283.78	43,998.95	
7 4/27/2019	47,282.73	2,645.80	44,636.93	
8 10/27/2019	47,282.73	1,998.56	45,284.17	
9 4/27/2020	47,282.73	1,341.94	45,940.79	
10 10/27/2020	47,282.73	675.78	46,606.95	
Grand Totals	472,827.30	32,464.30	440,363.00	

**CITY OF FERNANDINA BEACH  
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 1/22/2016

DEPARTMENT: Capital Improvement Fund

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

FROM	TO	
300-3000-519.7200	300-3000-519.7100	
Interest	Principal	5,000
300-3000-581.9520	300-3000-519.7100	
Reserve	Principal	22,800

REASON FOR TRANSFER:

To transfer funds for higher than budgeted first Principal payment for the new Fire truck.

  
DEPARTMENT HEAD SIGNATURE

RECOMMENDATIONS/COMMENTS: \_\_\_\_\_

  
CONTROLLER      1/22/16  
DATE

  
CITY MANAGER      1/29/16  
DATE

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016-21**  
Budget Amendment – Fire Department

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016-21**

SYNOPSIS: According to Code Sec 2-412 and Charter section 74, the Commission must approve any budget transfers over \$7,500. The FY 2015/2016 budget did not include costs or related revenue to the Fire Department for staffing requested during WestRock's plant closure. Staff is recommending a budget amendment in the amount of \$66,500.

FISCAL IMPACT: The proposed budget amendment increases the General Fund's Other Revenue account, 001-369.9000 and the various Fire Department Personnel accounts by \$66,500. **The budget amendment increases the Total City Budget from \$109,398,200 to \$109,464,700.**

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: No Additional Comments

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed

Resolution 2016-21, *DLM*

DEPARTMENT DIRECTOR Submitted by: Ty Silcox Date: 1/8/2016  
Fire Chief

CONTROLLER Approved as to Budget Compliance *DJK* Date: 1/8/2016

CITY ATTORNEY Approved as to Form and Legality *TEB* Date: *2/1/16*

CITY MANAGER Approved Agenda Item for *2/16/16* *DLM* Date: 1/26/2016

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA APPROVING AN AMENDMENT TO THE BUDGET FOR THE FISCAL YEAR 2015/2016; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the FY 2015/2016 budget did not include costs or related revenue for the staffing requested by WestRock during their shutdown. In the past off duty firefighters were paid directly by the company for their hours; and

WHEREAS, staff recommends the following budget amendment to accommodate this unanticipated revenue and expenses for fiscal year 2015/2016: a \$66,500 increase to the General Fund's Other Revenue account, 001-369.9000, for the reimbursement to the City from WestRock, and increases to the following accounts (amounts): Salaries account 001-2200-522.1200, (\$40,000); Overtime account 001-2200-522.1400 (\$5,600); FICA account 001-2200-522.2100 (\$3,500); Retirement account 001-2200-522.2200 (\$15,000); and Workers Comp account 001-2200-522.2400 (\$2,400); and

WHEREAS, this amendment **increases the Total City Budget from \$109,398,200 to \$109,464,700.**

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 following budget amendment: a \$66,500 increase to the General Fund's Other Revenue account, 001-369.9000, and increases to the following accounts (amounts): Salaries account 001-2200-522.1200, (\$40,000); Overtime account 001-2200-522.1400 (\$5,600); FICA account 001-2200-522.2100 (\$3,500); Retirement account 001-2200-522.2200 (\$15,000); and Workers Comp account 001-2200-522.2400 (\$2,400). This amendment **increases the Total City budget from \$109,398,200 to \$109, 464,700.**

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 16th of February, 2016.

ATTEST:

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
Caroline Best  
City Clerk

\_\_\_\_\_  
John A Miller  
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Tammi E. Bach  
City Attorney

**CITY OF FERNANDINA BEACH  
REQUEST FOR BUDGET AMENDMENT**

BUDGET AMENDMENT NUMBER:

DATE: 1/7/2016

DEPARTMENT: Fire

REQUEST THAT THE ADOPTED BUDGET FOR THE FOLLOWING ACCOUNTS BE AMENDED:

INCREASE 001-369.9000 Other Revenue	INCREASE 001-2200-522.1200 Salaries	<b>40,000 *</b>
001-369.9000 Other Revenue	001-2200-522.1400 Overtime	<b>5,600 *</b>
001-369.9000 Other Revenue	001-2200-522.2100 FICA	<b>3,500 *</b>
001-369.9000 Other Revenue	001-2200-522.2200 Retirement	<b>15,000 *</b>
001-369.9000 Other Revenue	001-2200-522.2400 Workers Comp	<b>2,400 *</b>

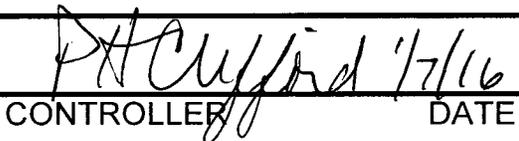
REASON FOR TRANSFER:

To record unbudgeted Revenue and Expenditures related to the Work performed at Westrock

\* **Increases the Total City Budget from \$109,398,200 to \$109,464,700.**

  
DEPARTMENT HEAD SIGNATURE

RECOMMENDATIONS/COMMENTS: \_\_\_\_\_

  
CONTROLLER DATE

\_\_\_\_\_  
CITY MANAGER DATE

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Resolution 2016- 22**  
Agreement Approval - First Southwest Arbitrage and Rebate Services

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016- 22**

SYNOPSIS: On February 15, 2011, via Resolution 2011-18, the City Commission approved a five year contract renewal with First Southwest Arbitrage and Rebate services, with an expiration date of February 27, 2016. First Southwest has done an excellent job ensuring the City complies with all arbitrage and rebate rules, and City staff would like to enter into a new contract with a term of an additional five years. The cost of the contract is unchanged - \$1,400 per computational year, plus \$750 for additional services related to any IRS Information Requests.

FISCAL IMPACT: Payment for Arbitrage and Rebate services are included in the various departmental budgets where the applicable debt resides.

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: The agreement has been amended and agreed to by the City Attorney's office.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2016- *22*

DEPARTMENT DIRECTOR Submitted by: Patti Clifford *PTC* Date: 1/22/2016  
Controller

CONTROLLER Approved as to Budget Compliance *PTC* Date: 1/22/2016

CITY ATTORNEY Approved as to Form and Legality *TEB* Date: *2/5/16*

CITY MANAGER Approved Agenda Item for *2/16/2016* *DEM* Date: 1/29/2016

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AUTHORIZING AN AGREEMENT WITH FIRST SOUTHWEST ASSET MANAGEMENT, LLC TO PROVIDE ARBITRAGE AND REBATE CALCULATION SERVICES FOR THE CITY'S BONDS AND NOTES; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is the issuer of various bonds, the General Obligation Bond issued in 2001, and the Utility System Refunding Bond issued in 2013; and

WHEREAS, as the issuer, the City has arbitrage and rebate rules from the Internal Revenue Service to comply with; and

WHEREAS, the City has contracted with First Southwest Asset Management, LLC, via Resolution 2011-18, for these services, and the current contract is due to expire February 27, 2016; and

WHEREAS, First Southwest Asset Management, LLC, is not changing their fees for their services in the new contract; and

WHEREAS, staff has been very pleased with the services provided and proposes to enter into an additional five (5) year contract with First Southwest Asset Management, LLC in order to ensure continued compliance with the arbitrage and rebate rules; and

WHEREAS, the cost of the annual contract is \$1,400 per computational year, plus \$750 for additional services relating to any IRS Information Requests; and

WHEREAS, funding is available in the Bond Expense Account #300-300-519.7300, the Wastewater Contractual Account #450-3500-535.3400, and the Water Contractual Account #460-3600-533.3400.

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

SECTION 1. The City Commission hereby approves the Agreement with First Southwest Asset Management, LLC, attached hereto as Exhibit "A", to continue ensured compliance with the arbitrage and rebate rules relating to the City's bonds.

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

SECTION 3. This Resolution shall take effect immediately upon passage.

ADOPTED this 16<sup>th</sup> day of February, 2016.

CITY OF FERNANDINA BEACH

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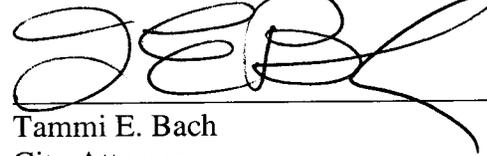
John A. Miller  
Commissioner-Mayor

ATTEST:

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Caroline Best  
City Clerk

APPROVED AS TO FORM & LEGALITY:



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Tammi E. Bach  
City Attorney

Matthew Paschall  
Associate

January 12, 2016

Ms. Patti Clifford  
Controller  
City of Fernandina Beach, Florida  
City Hall  
204 Ash Street  
Fernandina Beach, Florida 32034

Dear Ms. Clifford:

We recently noted that our contract to perform arbitrage rebate services between the City of Fernandina Beach, Florida and First Southwest Asset Management, Inc. ("FirstSouthwest") will expire on March 30, 2016. Thanks to clients such as you, FirstSouthwest has gained a national reputation as a leading provider of arbitrage rebate compliance services.

FirstSouthwest has been providing comprehensive arbitrage rebate compliance services to the City since February 2006, and we value the opportunity to be of continued service to the City. We are committed to continuing to provide the City with a full range of compliance services tailored to the needs of the City.

We have enclosed two copies of the arbitrage rebate renewal contract, for your review. *As you will note upon your review of the fee schedule contained in Appendix A, we are proposing that the fee remains the same for the contract renewal period although there have been numerous additions to the Treasury Regulations over the past two years.*

It is truly our privilege to partner with the City to ensure that current and future bond issues comply with the arbitrage rebate and yield restriction rules. At your convenience, please return one executed copy to us and retain the other executed copy for your records.

Should you have any questions, please do not hesitate to contact me at (800) 678-3792 or directly at (214) 953-8742.

Sincerely,



Matthew Paschall

**AGREEMENT FOR  
ARBITRAGE REBATE COMPLIANCE SERVICES  
BETWEEN  
CITY OF FERNANDINA BEACH, FLORIDA  
(Hereinafter Referred to as the "Issuer")  
AND  
FIRST SOUTHWEST ASSET MANAGEMENT, LLC  
(Hereinafter Referred to as "First Southwest")**

It is understood and agreed that the Issuer, in connection with the sale and delivery of certain bonds, notes, certificates, or other tax-exempt obligations (the "*Obligations*"), will have the need to determine to what extent, if any, it will be required to rebate certain investment earnings (the amount of such rebate being referred to herein as the "*Arbitrage Amount*") from the proceeds of the Obligations to the United States of America pursuant to the provisions of Section 148(f)(2) of the Internal Revenue Code of 1986, as amended (the "*Code*"). For purposes of this Agreement, the term "Arbitrage Amount" includes payments made under the election to pay penalty in lieu of rebate for a qualified construction issue under Section 148(f)(4) of the Code.

We are pleased to submit the following proposal for consideration; and if the proposal is accepted by the Issuer, it shall become the agreement (the "*Agreement*") between the Issuer and First Southwest effective at the date of its acceptance as provided for herein below.

1. This Agreement shall apply to all issues of tax-exempt Obligations delivered subsequent to the effective date of the rebate requirements under the Code, except for (i) issues which qualify for exceptions to the rebate requirements in accordance with Section 148 of the Code and related Treasury regulations, or (ii) issues excluded by the Issuer in writing in accordance with the further provisions hereof, (iii) new issues effected in a fashion whereby First Southwest is unaware of the existence of such issue, (iv) issues in which, for reasons outside the control of First Southwest, First Southwest is unable to procure the necessary information required to perform such services.

**Covenants of First Southwest**

2. We agree to provide our professional services in determining the Arbitrage Amount with regard to the Obligations. The Issuer will assume and pay the fee of First Southwest as such fee is set out in Appendix A attached hereto. First Southwest shall not be responsible for any extraordinary expenses incurred on behalf of Issuer in connection with providing such professional services, including any costs incident to litigation, mandamus action, test case or other similar legal actions.
3. We agree to perform the following duties in connection with providing arbitrage rebate compliance services:
  - a. To cooperate fully with the Issuer in reviewing the schedule of investments made by the Issuer with (i) proceeds from the Obligations, and (ii) proceeds of other funds of the Issuer which, under Treasury Regulations Section 1.148, or any successor regulations thereto, are subject to the rebate requirements of the Code;
  - b. To perform, or cause to be performed, consistent with the Code and the regulations promulgated thereunder, calculations to determine the Arbitrage Amount under Section 148(f)(2) of the Code; and
  - c. To provide a report to the Issuer specifying the Arbitrage Amount based upon the investment schedule, the calculations of bond yield and investment yield, and other information deemed relevant by First Southwest. In undertaking to provide the services set forth in paragraph 2 and this paragraph 3, First Southwest does not assume any responsibility for any record retention requirements which the Issuer may have under the Code or other applicable laws, it being understood that the Issuer shall remain responsible for compliance with any such record retention requirements.

## **Covenants of the Issuer**

4. In connection with the performance of the aforesaid duties, the Issuer agrees to the following:
  - a. The fees due to First Southwest in providing arbitrage rebate compliance services shall be calculated in accordance with Appendix A attached hereto. The fees will be payable in accordance with the Local Government Prompt Payment Act upon delivery of the report prepared by First Southwest for each issue of Obligations during the term of this Agreement.
  - b. The Issuer will provide First Southwest all information regarding the issuance of the Obligations and the investment of the proceeds therefrom, and any other information necessary in connection with calculating the Arbitrage Amount. First Southwest will rely on the information supplied by the Issuer without inquiry, it being understood that First Southwest will not conduct an audit or take any other steps to verify the accuracy or authenticity of the information provided by the Issuer.
  - c. The Issuer will notify First Southwest in writing of the retirement, prior to the scheduled maturity, of any Obligations included under the scope of this Agreement within 30 days of such retirement. This notification is required to provide sufficient time to comply with Treasury Regulations Section 1.148-3(g) which requires final payment of any Arbitrage Amount within 60 days of the final retirement of the Obligations. In the event the Issuer fails to notify First Southwest in a timely manner as provided hereinabove, First Southwest shall have no further obligation or responsibility to provide any services under this Agreement with respect to such retired Obligations.
5. In providing the services set forth in this Agreement, it is agreed that First Southwest shall not incur any liability for any error of judgment made in good faith by a responsible officer or officers thereof and, except to the limited extent set forth in this paragraph, shall not incur any liability for any other errors or omissions, unless it shall be proved that such error or omission was a result of the gross negligence or willful misconduct of said officer or officers. In the event a payment is assessed by the Internal Revenue Service due to an error by First Southwest, the Issuer will be responsible for paying the correct Arbitrage Amount and First Southwest's liability shall not exceed the amount of any penalty or interest imposed on the Arbitrage Amount as a result of such error.

## **Obligations Issued Subsequent to Initial Contract**

6. The services contracted for under this Agreement will automatically extend to any additional Obligations (including financing lease obligations) issued during the term of this Agreement, if such Obligations are subject to the rebate requirements under Section 148(f)(2) of the Code. In connection with the issuance of additional Obligations, the Issuer agrees to the following:
  - a. The Issuer will notify or cause the notification, in writing, to First Southwest of any tax-exempt financing (including financing lease obligations) issued by the Issuer during any calendar year of this Agreement, and will provide First Southwest with such information regarding such Obligations as First Southwest may request in connection with its performance of the arbitrage rebate services contracted for hereunder. If such notice is not provided to First Southwest with regard to a particular issue, First Southwest shall have no obligation to provide any services hereunder with respect to such issue.
  - b. At the option of the Issuer, any additional Obligations to be issued subsequent to the execution of this Agreement may be excluded from the services provided for herein. In order to exclude an issue, the Issuer must notify First Southwest in writing of their intent to exclude any specific Obligations from the scope of this Agreement, which exclusion shall be permanent for the full life of the Obligations; and after receipt of such notice, First Southwest shall have no obligation to provide any services under this Agreement with respect to such excluded Obligations.

**Effective Date of Agreement**

7. This Agreement shall become effective at the date of acceptance by the Issuer as set out herein below and remain in effect thereafter for a period of five (5) years from the date of acceptance, provided, however, that this Agreement may be terminated with or without cause by the Issuer or First Southwest upon thirty (30) days prior written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to First Southwest for services provided and extraordinary expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated prior to the completion of its stated term, all records provided to First Southwest with respect to the investment of monies by the Issuer shall be returned to the Issuer as soon as practicable following written request by Issuer. In addition, the parties hereto agree that, upon termination of this Agreement, First Southwest shall have no continuing obligation to the Issuer regarding any arbitrage rebate related services contemplated herein, regardless of whether such services have previously been undertaken, completed or performed.

**Acceptance of Agreement**

8. This Agreement is submitted in duplicate originals. When accepted by the Issuer in accordance with the terms hereof, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Issuer and First Southwest for the purposes and the consideration herein specified. In order for this Agreement to become effective, it must be accepted by the Issuer within sixty (60) days of the date appearing below the signature of First Southwest's authorized representative hereon. After the expiration of such 60-day period, acceptance by the Issuer shall only become effective upon delivery of written acknowledgement and reaffirmation by First Southwest that the terms and conditions set forth in this Agreement remain acceptable to First Southwest.

**Governing Law**

9. This Agreement will be governed by and construed in accordance with the laws of the State of Florida, without regard to its principles of conflicts of laws.

Acceptance will be indicated on both copies and the return of one executed copy to First Southwest.

Respectfully submitted,

FIRST SOUTHWEST ASSET MANAGEMENT, LLC

By 

Hill A. Feinberg, Chairman & Chief Executive Officer

Date \_\_\_\_\_

**ISSUER'S ACCEPTANCE CLAUSE**

The above and foregoing is hereby in all things accepted and approved by

\_\_\_\_\_, on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By \_\_\_\_\_  
Authorized Representative

Title \_\_\_\_\_

Printed Name \_\_\_\_\_

**APPROVED AS TO FORM AND LEGALITY:**  


**APPENDIX A - FEES**

The Obligations to be covered initially under this contract include all issues of tax-exempt obligations delivered subsequent to the effective dates of the rebate requirements, under the Code, except as set forth in Section I of the Agreement.

The fee for any Obligations under this contract shall only be payable if a computation is required under Section 148(f)(2) of the Code. In the event that any of the Obligations fall within an exclusion to the computation requirement as defined by Section 148 of the Code or related regulations and no calculations were required by First Southwest to make that determination, no fee will be charged for such issue. For example, certain obligations are excluded from the rebate computation requirement if the proceeds are spent within specific time periods. In the event a particular issue of Obligations fulfills the exclusion requirements of the Code or related regulations, the specified fee will be waived by First Southwest if no calculations were required to make the determination.

First Southwest's fee for arbitrage rebate services is based upon a fixed annual fee per issue. The annual fee is charged based upon the number of years that proceeds exist subject to rebate from the delivery date of the issue to the computation date.

First Southwest's fees are payable in accordance with the Local Government Prompt Payment Act. The first report will be made following one year from the date of delivery of the Obligations and on each computation date thereafter during the term of the Agreement. The fees for computations of the Arbitrage Amount which encompass more, or less, than one Computation Year shall be prorated to reflect the longer, or shorter, period of work performed during that period.

The fee for each of the Obligations included in this contract shall be based on the table below.

**Additionally, due to significant time saving efficiencies realized when investment information is submitted in an electronic format, First Southwest passes the savings to its clients by offering a 10% reduction in its fees if information is provided in a spreadsheet or electronic text file format.**

Description	Annual Fee
<b>ANNUAL FEE</b>	<b>\$1,400</b>
<b><i>COMPREHENSIVE ARBITRAGE COMPLIANCE SERVICES INCLUDE:</i></b>	
<ul style="list-style-type: none"> <li>• Commingled Funds Analysis &amp; Calculations</li> <li>• Spending Exception Analysis &amp; Calculations</li> <li>• Yield Restriction Analysis &amp; Calculations (for yield restricted Project Funds, Reserve Funds, Escrow Funds, etc.)</li> <li>• Parity Reserve Fund Allocations</li> <li>• Transferred Proceeds Calculations</li> <li>• Universal Cap Calculations</li> <li>• Debt Service Fund Calculations (including earnings test when required)</li> <li>• Preparation of all Required IRS Paperwork for Making a Rebate Payment / Yield Reduction Payment</li> <li>• Retention of Records Provided for Arbitrage Computations</li> <li>• IRS Audit Assistance</li> <li>• Delivery of Rebate Calculations Each Year That Meets the Timing Requirements of the Audit Schedule</li> <li>• On-Site Meetings, as Appropriate, to Discuss Calculation Results / Subsequent Planning Items</li> </ul>	<b>INCLUDED</b>
<b>OTHER SERVICES AVAILABLE:</b>	
<b>IRS Refund Request</b> – Update calculation, prepare refund request package, and assist issuer as necessary in responding to subsequent IRS Information Requests	<b>\$750</b>
<b>Commercial Paper Calculations</b> – Per allocated issue	<b>\$1,600</b>

## EXPLANATION OF TERMS:

- a. **Computation Year:** A “Computation Year” represents a one year period from the delivery date of the issue to the date that is one calendar year after the delivery date, and each subsequent one-year period thereafter. Therefore, if a calculation is required that covers more than one “computation year,” the annual fee is multiplied by the number of computation years contained in the calculation being performed. If a calculation includes a portion of a computation year, i.e., if the calculation includes 1 ½ computation years, then the base fee will be multiplied by 1.5.
- b. **Electronic Data Submission:** The data should be provided electronically in MS Excel or ASCII text file (comma delimited text preferred) with the date, description, dollar amount, and an activity code (if not in debit and credit format) on the same line in the file.
- c. **Variable/Floating Rate Bond Issues:** Special services are also required to perform the arbitrage rebate calculations for variable rate bonds. A bond is a variable rate bond if the interest rate paid on the bond is dependent upon an index which is subject to changes subsequent to the issuance of the bonds. The computational requirements of a variable rate issue are more complex than those of a fixed rate issue and, accordingly, require significantly more time to calculate. The additional complexity is primarily related to the computation of the bond yield, which must be calculated on a “bond year” basis. Additionally, the regulations provide certain flexibility in computing the bond yield and determining the arbitrage amount over the first IRS reporting period; consequently, increased calculations are required to determine which bond yield calculation produces the lowest arbitrage amount.
- d. **Commingled Fund Allocations:** By definition, a commingled fund is one that contains either proceeds of more than one bond issue or proceeds of a bond issue and non-bond proceeds (i.e., revenues) of \$25,000 or more. The arbitrage regulations, while permitting the commingling of funds, require that the proceeds of the bond issue(s) be “carved out” for purposes of determining the arbitrage amount. Additionally, interest earnings must be allocated to the portion of the commingled fund that represents proceeds of the issue(s) in question. Permitted “safe-harbor” methods (that is, methods that are outlined in the arbitrage regulations and, accordingly, cannot be questioned by the IRS under audit), exist for allocating expenditures and interest earnings to issues in a commingled fund. First Southwest uses one of the applicable safe-harbor methods when doing these calculations.
- e. **Debt Service Reserve Funds:** The authorizing documents for many revenue bond issues require that a separate fund be established (the “Reserve Fund”) into which either bond proceeds or revenues are deposited in an amount equal to some designated level, such as average annual debt service on all parity bonds. This Reserve Fund is established for the benefit of the bondholders as additional security for payment on the debt. In most cases, the balance in the Reserve Fund remains stable throughout the life of the bond issue. Reserve Funds, whether funded with bond proceeds or revenues, must be included in all rebate calculations.
- f. **Debt Service Fund Calculations:** Issuers are required under the regulations to analyze the invested balances in their debt service funds annually to determine whether the fund depletes as required during the year and is, therefore, “bona fide” (i.e., potentially exempt from rebate in that year). It is not uncommon for surplus balances to develop in the debt service fund that services an issuer’s tax supported debt, particularly due to timing differences of when the funds were due to be collected versus when the funds were actually collected. First Southwest performs this formal analysis of the debt service fund and, should it be determined that a surplus balance exists in the fund during a given year, allocates the surplus balance among the various issues serviced by the fund in a manner that is acceptable under IRS review.
- g. **Earnings Test for Debt Service Funds:** Certain types of bond issues require an additional level of analysis for the debt service fund, even if the fund depletes as required under the regulations and is “bona fide.” For short-term, fixed rate issues, private activity issues, and variable rate issues, the regulations require that an “earnings test” be performed on a bona fide debt service fund to determine if the interest earnings reached \$100,000 during the year. In cases where the earnings reach or exceed the \$100,000 threshold, the entire fund (not just the surplus or residual portion) is subject to rebate.
- h. **Transferred Proceeds Calculations:** When a bond issue is refinanced (refunded) by another issue, special services relating to “transferred proceeds” calculations may need to be performed. Under the regulations, when proceeds of a refunding issue are used to retire principal of a prior issue, a pro-rata portion of the unspent proceeds of the prior issue becomes subject to rebate and/or yield restriction as transferred proceeds of the refunding issue. The refunding issue essentially “adopts” the unspent proceeds of the prior issue for purposes of the arbitrage calculations. These

calculations are required under the regulations to ensure that issuers continue to exercise due diligence to complete the project(s) for which the prior bonds were issued.

- i. **Universal Cap:** Current regulations provide an overall limitation on the amount of gross proceeds allocable to an issue. Simply stated, the value of investments allocated to an issue cannot exceed the value of all outstanding bonds of the issue. For example, this situation can occur if an issuer encounters significant construction delays or enters into litigation with a contractor. It may take months or even years to resolve the problems and begin or resume spending the bond proceeds; however, during this time the debt service payments are still being paid, including any scheduled principal payments. Thus, it's possible for the value of the investments purchased with bond proceeds to exceed the value of the bonds outstanding. In such cases, a "de-allocation" of proceeds may be required to comply with the limitation rules outlined in the regulations.
  
- j. **Yield Restriction Analysis/Yield Reduction Computations:** The IRS strongly encourages issuers to spend the proceeds of each bond issue as quickly as possible to achieve the governmental purpose for which the bonds were issued. Certain types of proceeds can qualify for a "temporary period," during which time the proceeds may be invested at a yield higher than the yield on the bonds without jeopardizing the tax-exempt status of the issue. The most common temporary period is the three-year temporary period for capital project proceeds. After the end of the temporary period, the proceeds must be yield restricted or the issuer must remit the appropriate yield reduction payment when due. First Southwest performs a comprehensive yield restriction analysis when appropriate for all issues having proceeds remaining at the end of the applicable temporary period and also calculates the amount of the yield reduction payment due to the IRS.

RESOLUTION 2011-18

SCANNED

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AUTHORIZING AN AGREEMENT WITH FIRST SOUTHWEST ASSET MANAGEMENT, INC. TO PROVIDE ARBITRAGE AND REBATE CALCULATION SERVICES FOR THE CITY'S BONDS AND NOTES; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is the issuer of various bonds, the General Obligation Bond issued in 2001, and the Utility Acquisition Bond issued in 2003; and

WHEREAS, as the issuer, the City has arbitrage and rebate rules from the Internal Revenue Service to comply with; and

WHEREAS, the City has contracted with First Southwest Asset Management, Inc., via Resolution 2006-44, for these services, and the current contract is due to expire February 27, 2011; and

WHEREAS, First Southwest Asset Management, Inc., voluntarily reduced their fees for their services and provide for a continuation of the fee reduction in the contract; and

WHEREAS, staff has been very pleased with the services provided and proposes to enter into an additional five (5) year contract with in order to ensure continued compliance with the arbitrage and rebate rules; and

WHEREAS, the cost of the annual contract is \$1,400 per computational year, plus \$750 for additional services relating to debt reserve accounts and comingled funds; and

WHEREAS, funding is available in the Bond Expense Account #300-300-519.7300, the Wastewater Contractual Account #450-3500-535.3400, and the Water Contractual Account #460-3600-533.3400.

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

SECTION 1. The City Commission hereby approves the Agreement with First Southwest Asset Management, Inc., attached hereto as Exhibit "A", to continue ensured compliance with the arbitrage and rebate rules relating to the City's bonds.

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

SECTION 3. This resolution shall take effect immediately upon passage.

ADOPTED this 15<sup>th</sup> day of February, 2011.

CITY OF FERNANDINA BEACH

  
\_\_\_\_\_  
Susan Hardee Steger  
Commissioner-Mayor

ATTEST:

  
\_\_\_\_\_  
Mary L. Menger  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

**AGREEMENT FOR  
ARBITRAGE REBATE COMPLIANCE SERVICES  
BETWEEN  
CITY OF FERNANDINA BEACH, FLORIDA  
(Hereinafter Referred to as the "Issuer")  
AND  
FIRST SOUTHWEST ASSET MANAGEMENT, INC.  
(Hereinafter Referred to as "First Southwest")**

It is understood and agreed that the Issuer, in connection with the sale and delivery of certain bonds, notes, certificates, or other tax-exempt obligations (the "*Obligations*"), will have the need to determine to what extent, if any, it will be required to rebate certain investment earnings (the amount of such rebate being referred to herein as the "*Arbitrage Amount*") from the proceeds of the Obligations to the United States of America pursuant to the provisions of Section 148(f)(2) of the Internal Revenue Code of 1986, as amended (the "*Code*"). For purposes of this Agreement, the term "Arbitrage Amount" includes payments made under the election to pay penalty in lieu of rebate for a qualified construction issue under Section 148(f)(4) of the Code.

We are pleased to submit the following proposal for consideration; and if the proposal is accepted by the Issuer, it shall become the agreement (the "*Agreement*") between the Issuer and First Southwest effective at the date of its acceptance as provided for herein below.

1. This Agreement shall apply to all issues of tax-exempt Obligations delivered subsequent to the effective date of the rebate requirements under the Code, except for (i) issues which qualify for exceptions to the rebate requirements in accordance with Section 148 of the Code and related Treasury regulations, or (ii) issues excluded by the Issuer in writing in accordance with the further provisions hereof, (iii) new issues effected in a fashion whereby First Southwest is unaware of the existence of such issue, (iv) issues in which, for reasons outside the control of First Southwest, First Southwest is unable to procure the necessary information required to perform such services.

**Covenants of First Southwest**

2. We agree to provide our professional services in determining the Arbitrage Amount with regard to the Obligations. The Issuer will assume and pay the fee of First Southwest as such fee is set out in Appendix A attached hereto. First Southwest shall not be responsible for any extraordinary expenses incurred on behalf of Issuer in connection with providing such professional services, including any costs incident to litigation, mandamus action, test case or other similar legal actions.
3. We agree to perform the following duties in connection with providing arbitrage rebate compliance services:
  - a. To cooperate fully with the Issuer in reviewing the schedule of investments made by the Issuer with (i) proceeds from the Obligations, and (ii) proceeds of other funds of the Issuer which, under Treasury Regulations Section 1.148, or any successor regulations thereto, are subject to the rebate requirements of the Code;
  - b. To perform, or cause to be performed, consistent with the Code and the regulations promulgated thereunder, calculations to determine the Arbitrage Amount under Section 148(f)(2) of the Code; and
  - c. To provide a report to the Issuer specifying the Arbitrage Amount based upon the investment schedule, the calculations of bond yield and investment yield, and other information deemed relevant by First Southwest. In undertaking to provide the services set forth in paragraph 2 and this paragraph 3, First Southwest does not assume any responsibility for any record retention requirements which the Issuer may have under the Code or other applicable laws, it being understood that the Issuer shall remain responsible for compliance with any such record retention requirements.

**Covenants of the Issuer**

4. In connection with the performance of the aforesaid duties, the Issuer agrees to the following:
- a. The fees due to First Southwest in providing arbitrage rebate compliance services shall be calculated in accordance with Appendix A attached hereto. The fees will be payable upon delivery of the report prepared by First Southwest for each issue of Obligations during the term of this Agreement.
  - b. The Issuer will provide First Southwest all information regarding the issuance of the Obligations and the investment of the proceeds therefrom, and any other information necessary in connection with calculating the Arbitrage Amount. First Southwest will rely on the information supplied by the Issuer without inquiry, it being understood that First Southwest will not conduct an audit or take any other steps to verify the accuracy or authenticity of the information provided by the Issuer.
  - c. The Issuer will notify First Southwest in writing of the retirement, prior to the scheduled maturity, of any Obligations included under the scope of this Agreement within 30 days of such retirement. This notification is required to provide sufficient time to comply with Treasury Regulations Section 1.148-3(g) which requires final payment of any Arbitrage Amount within 60 days of the final retirement of the Obligations. In the event the Issuer fails to notify First Southwest in a timely manner as provided hereinabove, First Southwest shall have no further obligation or responsibility to provide any services under this Agreement with respect to such retired Obligations.
5. In providing the services set forth in this Agreement, it is agreed that First Southwest shall not incur any liability for any error of judgment made in good faith by a responsible officer or officers thereof and, except to the limited extent set forth in this paragraph, shall not incur any liability for any other errors or omissions, unless it shall be proved that such error or omission was a result of the gross negligence or willful misconduct of said officer or officers. In the event a payment is assessed by the Internal Revenue Service due to an error by First Southwest, the Issuer will be responsible for paying the correct Arbitrage Amount and First Southwest's liability shall not exceed the amount of any penalty or interest imposed on the Arbitrage Amount as a result of such error.

*(M)*  
*in accordance with the local Government Prompt Payment Act*  
*WTO*  
*2/8/14*

**Obligations Issued Subsequent to Initial Contract**

6. The services contracted for under this Agreement will automatically extend to any additional Obligations (including financing lease obligations) issued during the term of this Agreement, if such Obligations are subject to the rebate requirements under Section 148(f)(2) of the Code. In connection with the issuance of additional Obligations, the Issuer agrees to the following:
- a. The Issuer will notify or cause the notification, in writing, to First Southwest of any tax-exempt financing (including financing lease obligations) issued by the Issuer during any calendar year of this Agreement, and will provide First Southwest with such information regarding such Obligations as First Southwest may request in connection with its performance of the arbitrage rebate services contracted for hereunder. If such notice is not provided to First Southwest with regard to a particular issue, First Southwest shall have no obligation to provide any services hereunder with respect to such issue.
  - b. At the option of the Issuer, any additional Obligations to be issued subsequent to the execution of this Agreement may be excluded from the services provided for herein. In order to exclude an issue, the Issuer must notify First Southwest in writing of their intent to exclude any specific Obligations from the scope of this Agreement, which exclusion shall be permanent for the full life of the Obligations; and after receipt of such notice, First Southwest shall have no obligation to provide any services under this Agreement with respect to such excluded Obligations.

**Effective Date of Agreement**

7. This Agreement shall become effective at the date of acceptance by the Issuer as set out herein below and remain in effect thereafter for a period of five (5) years from the date of acceptance, provided, however, that this Agreement may be terminated with or without cause by the Issuer or First Southwest upon thirty (30) days prior written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to First Southwest for services provided and extraordinary expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated prior to the completion of its stated term, all records provided to First Southwest with respect to the investment of monies by the Issuer shall be returned to the Issuer as soon as practicable following written request by Issuer. In addition, the parties hereto agree that, upon termination of this Agreement, First Southwest shall have no continuing obligation to the Issuer regarding any arbitrage rebate related services contemplated herein, regardless of whether such services have previously been undertaken, completed or performed.

**Acceptance of Agreement**

8. This Agreement is submitted in duplicate originals. When accepted by the Issuer in accordance with the terms hereof, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Issuer and First Southwest for the purposes and the consideration herein specified. In order for this Agreement to become effective, it must be accepted by the Issuer within sixty (60) days of the date appearing below the signature of First Southwest's authorized representative hereon. After the expiration of such 60-day period, acceptance by the Issuer shall only become effective upon delivery of written acknowledgement and reaffirmation by First Southwest that the terms and conditions set forth in this Agreement remain acceptable to First Southwest.

**Governing Law**

9. This Agreement will be governed by and construed in accordance with the laws of the State of Texas, without regard to its principles of conflicts of laws.

*FRANCO WTS 2/8/11*  
*(h)*

Acceptance will be indicated on both copies and the return of one executed copy to First Southwest.

Respectfully submitted,

FIRST SOUTHWEST ASSET MANAGEMENT, INC.

By *Hill A. Feinberg*

Hill A. Feinberg, Chairman & Chief Executive Officer

Date \_\_\_\_\_

**ISSUER'S ACCEPTANCE CLAUSE**

The above and foregoing is hereby in all things accepted and approved by

Michael J. Czymbor, on this the 30th day of March, 2011

By *Michael J. Czymbor*  
Authorized Representative

Title City Manager  
Printed Name Michael J. Czymbor

ATTEST:  
By: *Mary L. Mercer*  
Printed Name: Mary L. Mercer  
Title: City Clerk  
Date: 3-30-11

**APPROVED AS TO FORM:**  
*[Signature]*  
CITY ATTORNEY

**APPENDIX A - FEES**

The Obligations to be covered initially under this contract include all issues of tax-exempt obligations delivered subsequent to the effective dates of the rebate requirements, under the Code, except as set forth in Section 1 of the Agreement.

The fee for any Obligations under this contract shall only be payable if a computation is required under Section 148(f)(2) of the Code. In the event that any of the Obligations fall within an exclusion to the computation requirement as defined by Section 148 of the Code or related regulations and no calculations were required by First Southwest to make that determination, no fee will be charged for such issue. For example, certain obligations are excluded from the rebate computation requirement if the proceeds are spent within specific time periods. In the event a particular issue of Obligations fulfills the exclusion requirements of the Code or related regulations, the specified fee will be waived by First Southwest if no calculations were required to make the determination.

First Southwest's fee for arbitrage rebate services is based upon a fixed annual fee per issue. The annual fee is charged based upon the number of years that proceeds exist subject to rebate from the delivery date of the issue to the computation date.

First Southwest's fees are payable ~~upon delivery of the report~~ *in accordance with the Local Government Prompt Payment Act.* The first report will be made following one year from the date of delivery of the Obligations and on each computation date thereafter during the term of the Agreement. The fees for computations of the Arbitrage Amount which encompass more, or less, than one Computation Year shall be prorated to reflect the longer, or shorter, period of work performed during that period.

*WKS  
2/20/04  
W*

The fee for each of the Obligations included in this contract shall be based on the table below.

Additionally, due to significant time saving efficiencies realized when investment information is submitted in an electronic format, First Southwest passes the savings to its clients by offering a 10% reduction in its fees if information is provided in a spreadsheet or electronic text file format.

Description	Annual Fee
<b>ANNUAL FEE</b>	<b>\$1,400</b>
<b>COMPREHENSIVE ARBITRAGE COMPLIANCE SERVICES INCLUDE:</b>	
<ul style="list-style-type: none"> <li>• Commingled Funds Analysis &amp; Calculations</li> <li>• Spending Exception Analysis &amp; Calculations</li> <li>• Yield Restriction Analysis &amp; Calculations (for yield restricted Project Funds, Reserve Funds, Escrow Funds, etc.)</li> <li>• Parity Reserve Fund Allocations</li> <li>• Transferred Proceeds Calculations</li> <li>• Universal Cap Calculations</li> <li>• Debt Service Fund Calculations (including earnings test when required)</li> <li>• Preparation of all Required IRS Paperwork for Making a Rebate Payment / Yield Reduction Payment</li> <li>• Retention of Records Provided for Arbitrage Computations</li> <li>• IRS Audit Assistance</li> <li>• Delivery of Rebate Calculations Each Year That Meets the Timing Requirements of the Audit Schedule</li> <li>• On-Site Meetings, as Appropriate, to Discuss Calculation Results / Subsequent Planning Items</li> </ul>	<b>INCLUDED</b>
<b>OTHER SERVICES AVAILABLE:</b>	
IRS Refund Request – Update calculation, prepare refund request package, and assist issuer as necessary in responding to subsequent IRS Information Requests	<b>\$750</b>
Commercial Paper Calculations – Per allocated issue	<b>\$1,600</b>

## EXPLANATION OF TERMS:

- a. **Computation Year:** A "Computation Year" represents a one year period from the delivery date of the issue to the date that is one calendar year after the delivery date, and each subsequent one-year period thereafter. Therefore, if a calculation is required that covers more than one "computation year," the annual fee is multiplied by the number of computation years contained in the calculation being performed. If a calculation includes a portion of a computation year, i.e., if the calculation includes 1 ½ computation years, then the base fee will be multiplied by 1.5.
- b. **Electronic Data Submission:** The data should be provided electronically in MS Excel or ASCII text file (comma delimited text preferred) with the date, description, dollar amount, and an activity code (if not in debit and credit format) on the same line in the file.
- c. **Variable/Floating Rate Bond Issues:** Special services are also required to perform the arbitrage rebate calculations for variable rate bonds. A bond is a variable rate bond if the interest rate paid on the bond is dependent upon an index which is subject to changes subsequent to the issuance of the bonds. The computational requirements of a variable rate issue are more complex than those of a fixed rate issue and, accordingly, require significantly more time to calculate. The additional complexity is primarily related to the computation of the bond yield, which must be calculated on a "bond year" basis. Additionally, the regulations provide certain flexibility in computing the bond yield and determining the arbitrage amount over the first IRS reporting period; consequently, increased calculations are required to determine which bond yield calculation produces the lowest arbitrage amount.
- d. **Commingled Fund Allocations:** By definition, a commingled fund is one that contains either proceeds of more than one bond issue or proceeds of a bond issue and non-bond proceeds (i.e., revenues) of \$25,000 or more. The arbitrage regulations, while permitting the commingling of funds, require that the proceeds of the bond issue(s) be "carved out" for purposes of determining the arbitrage amount. Additionally, interest earnings must be allocated to the portion of the commingled fund that represents proceeds of the issue(s) in question. Permitted "safe-harbor" methods (that is, methods that are outlined in the arbitrage regulations and, accordingly, cannot be questioned by the IRS under audit), exist for allocating expenditures and interest earnings to issues in a commingled fund. First Southwest uses one of the applicable safe-harbor methods when doing these calculations.
- e. **Debt Service Reserve Funds:** The authorizing documents for many revenue bond issues require that a separate fund be established (the "Reserve Fund") into which either bond proceeds or revenues are deposited in an amount equal to some designated level, such as average annual debt service on all parity bonds. This Reserve Fund is established for the benefit of the bondholders as additional security for payment on the debt. In most cases, the balance in the Reserve Fund remains stable throughout the life of the bond issue. Reserve Funds, whether funded with bond proceeds or revenues, must be included in all rebate calculations.
- f. **Debt Service Fund Calculations:** Issuers are required under the regulations to analyze the invested balances in their debt service funds annually to determine whether the fund depletes as required during the year and is, therefore, "bona fide" (i.e., potentially exempt from rebate in that year). It is not uncommon for surplus balances to develop in the debt service fund that services an issuer's tax supported debt, particularly due to timing differences of when the funds were due to be collected versus when the funds were actually collected. First Southwest performs this formal analysis of the debt service fund and, should it be determined that a surplus balance exists in the fund during a given year, allocates the surplus balance among the various issues serviced by the fund in a manner that is acceptable under IRS review.
- g. **Earnings Test for Debt Service Funds:** Certain types of bond issues require an additional level of analysis for the debt service fund, even if the fund depletes as required under the regulations and is "bona fide." For short-term, fixed rate issues, private activity issues, and variable rate issues, the regulations require that an "earnings test" be performed on a bona fide debt service fund to determine if the interest earnings reached \$100,000 during the year. In cases where the earnings reach or exceed the \$100,000 threshold, the entire fund (not just the surplus or residual portion) is subject to rebate.
- h. **Transferred Proceeds Calculations:** When a bond issue is refinanced (refunded) by another issue, special services relating to "transferred proceeds" calculations may need to be performed. Under the regulations, when proceeds of a refunding issue are used to retire principal of a prior issue, a pro-rata portion of the unspent proceeds of the prior issue becomes subject to rebate and/or yield restriction as transferred proceeds of the refunding issue. The refunding issue essentially "adopts" the unspent proceeds of the prior issue for purposes of the arbitrage calculations. These

calculations are required under the regulations to ensure that issuers continue to exercise due diligence to complete the project(s) for which the prior bonds were issued.

- i. **Universal Cap:** Current regulations provide an overall limitation on the amount of gross proceeds allocable to an issue. Simply stated, the value of investments allocated to an issue cannot exceed the value of all outstanding bonds of the issue. For example, this situation can occur if an issuer encounters significant construction delays or enters into litigation with a contractor. It may take months or even years to resolve the problems and begin or resume spending the bond proceeds; however, during this time the debt service payments are still being paid, including any scheduled principal payments. Thus, it's possible for the value of the investments purchased with bond proceeds to exceed the value of the bonds outstanding. In such cases, a "de-allocation" of proceeds may be required to comply with the limitation rules outlined in the regulations.
- j. **Yield Restriction Analysis/Yield Reduction Computations:** The IRS strongly encourages issuers to spend the proceeds of each bond issue as quickly as possible to achieve the governmental purpose for which the bonds were issued. Certain types of proceeds can qualify for a "temporary period," during which time the proceeds may be invested at a yield higher than the yield on the bonds without jeopardizing the tax-exempt status of the issue. The most common temporary period is the three-year temporary period for capital project proceeds. After the end of the temporary period, the proceeds must be yield restricted or the issuer must remit the appropriate yield reduction payment when due. First Southwest performs a comprehensive yield restriction analysis when appropriate for all issues having proceeds remaining at the end of the applicable temporary period and also calculates the amount of the yield reduction payment due to the IRS.



CITY COMMISSION AGENDA ITEM  
CITY OF FERNANDINA BEACH

SUBJECT: Resolution 2011- 18  
First Southwest Arbitrage & Rebate Services

DEPARTMENT: Finance

ATTACHMENTS:      Ordinance      Resolution  
  X   Support Documents      Other

SUMMARY: On February 21, 2006, via Resolution 2006-44, the City Commission approved a five (5) year contract with First Southwest for Arbitrage and Rebate Services, with an expiration date of February 27, 2011. First Southwest has done an excellent job ensuring the City complies with all arbitrage and rebate rules, and City staff would like to enter into a new contract with a term of five (5) years. Additionally, in October, 2010, First Southwest voluntarily reduced their fees for their services and provides for a continuation of the fee reduction in the contract renewal. The cost of the contract is \$1,400 per computational year, plus \$750 for additional services relating to debt reserve accounts and comingled funds. Funding is available in the Bond Expense Account #300-300-519.7300, the Wastewater Contractual Account #450-3500-535.3400, and the Water Contractual Account #460-3600-533.3400.

RECOMMENDED ACTION: Approve Resolution 2011- 18

DEPARTMENT HEAD Submitted Patti Clifford Date: 1/25/2011

Requested Agenda Date: 2/15/2011

FINANCE DEPARTMENT Budgeted   X   Yes      No      N/A *J. Harris* Date: 2-9-11

CITY ATTORNEY Approved for Form *TEB* Date: 2/4/11

CITY MANAGER Approved Agenda Item for *[Signature]* Date: 2/9/11

COMMISSION ACTION:      Approved As Recommended      Disapproved  
     Approved With Modification      Other  
     Other

Approved at the City Commission Meeting  
Held on 2-15-11  
Voted: \_\_\_\_\_ Initial: \_\_\_\_\_



# City of Fernandina Beach

Office of the City Clerk

April 1, 2011

Bill Johnson  
First Southwest Asset Management, Inc.  
325 North St. Paul Street, Suite 800  
Dallas, Texas 75201-3852

**Re: Agreement for Arbitrage Rebate Compliance Services**

Dear Mr. Johnson:

Enclosed please find one (1) fully executed Agreement for Arbitrage Rebate Compliance Services between First Southwest Asset Management, Inc. and the City of Fernandina Beach dated March 30, 2011.

If you have any questions or concerns, please do not hesitate to contact this office.

Sincerely,

CITY OF FERNANDINA BEACH

Mary L. Mercer  
City Clerk

Encl.

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: Resolution 2016-23  
Award of Bid #15-06 – R.C. Systems, Inc.

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Resolution 2016-23 awarding Bid #15-06 to R.C. Systems, Inc.**

SYNOPSIS: On December 16, 2015, the City solicited bids for new Recreation Management Software. Four (4) bids were received and opened on January 5, 2016. The lowest and most qualified bid received was from R.C. Systems, Inc. with the base price of \$16,250.00.

FISCAL IMPACT: The total cost of the ReCPro software is \$16,250.00 and includes the first year maintenance costs but excludes on-site training costs. On-site training costs will not exceed \$3,100. Sufficient funding is budgeted and available in the Recreation & Parks account # 310-3010-571.6400. Annual maintenance fees will be assessed over the next 5 years: year one is included in the initial payment; years two and three will be \$4,750.00 per year; years four and five will be \$5,150.00 per year. After year five, the annual maintenance fees will increase by ten percent every three years.

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt Resolution 2016-23.

DEPARTMENT DIRECTOR	Submitted by: Nan Voit Parks & Recreation Director	Date: 1/21/16
CONTROLLER	Approved as to Budget Compliance <i>inc</i>	Date: 2/11/16
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: 2/11/16
CITY MANAGER	Approved Agenda Item for 02/16/2016	Date: 1/27/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION 2016-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AWARDED BID # 15-06 TO R.C. SYSTEMS, INC. FOR THE PURCHASE AND INSTALLATION OF REC PRO SOFTWARE FOR THE PARKS & RECREATION DEPARTMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 5, 2016, four (4) bids were received and opened for the purchase and installation of Recreation Management Software; and

WHEREAS, the lowest and most qualified bid received was from R.C. Systems, Inc. in the amount of \$16,250.00; and

WHEREAS, funding for this purchase is available and budgeted in the Recreation & Parks account # 310-3010-571.6400.

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

SECTION 1. The City Commission hereby awards Bid # 15-06 to R.C. Systems, Inc. in the amount of \$16,250.00 for the purchase and installation of ReCPro, a Recreation Management Software.

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

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

ADOPTED this 16<sup>th</sup> day of February, 2016.

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Mayor – Commissioner

ATTEST:

APPROVED AS TO FORM & LEGALITY:



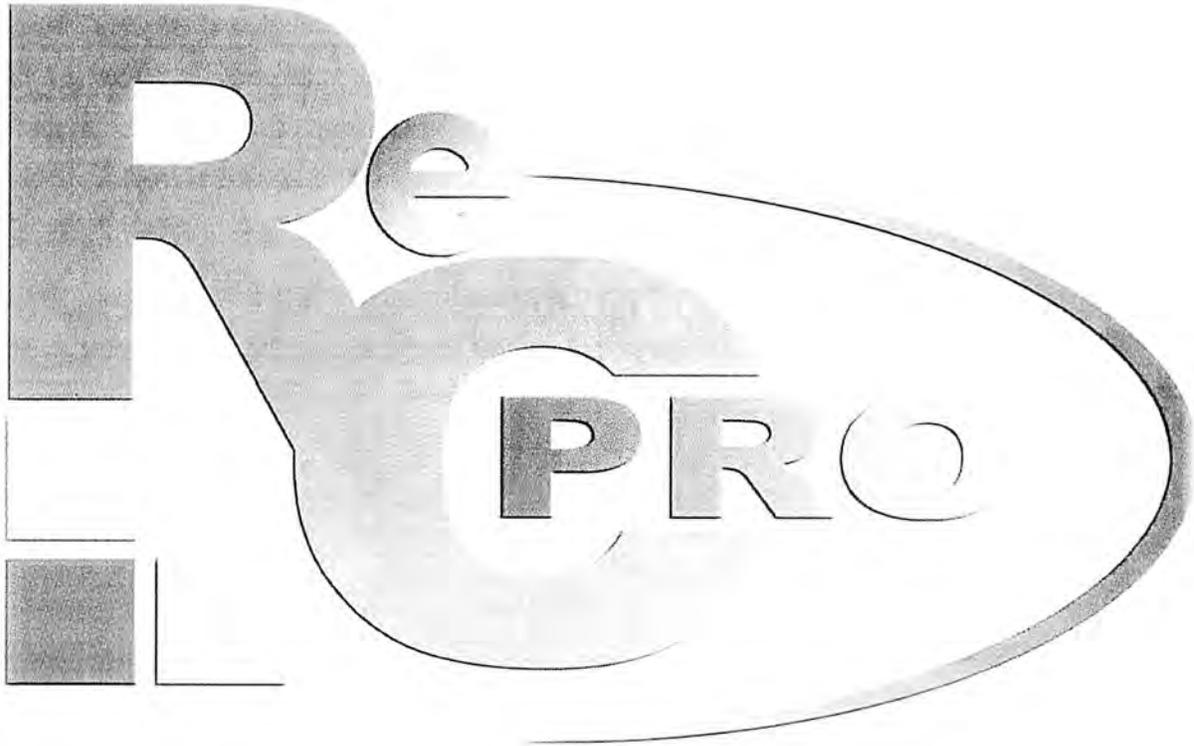
\_\_\_\_\_  
Caroline Best  
City Clerk

\_\_\_\_\_  
Tammi E. Bach  
City Attorney

**CITY OF FERNANDINA BEACH BID OPENING  
ITB #15-06 RECREATION MANAGEMENT SOFTWARE  
1/5/2016 at 2pm**

**OPENED BY: MARSHALL McCRARY and JAY ROBERTSON**

<b>DATE/ TIME</b>	<b>COMPANY</b>	<b>LOCATION</b>	<b>EXTS.</b>	<b>ADD 1</b>	<b>BASE BID</b>
12/29/2015 11:58am	CapturePoint	Ridgewood, NJ	Y	N	\$17,045.00
12/30/2015 2:23pm	Maximum Solutions, Inc.	Edina, MN	Y	Y	\$19,600.00
1/5/2016 9:45am	PerfectMind	N. Vancouver, BC	Y	N	\$16,000 yearly \$28,600 one-time
1/5/2016 12:05pm	RecPro	Clinton Township, MI	Y	N	\$16,250.00



*THE RECREATION SOFTWARE SOLUTION!*

Request for Proposal  
#15-06  
Recreation Management Software

**COPY**

Prepared by: **Dale Geiger**  
(586) 469-4200 ext. 103  
[dgeiger@recprosoftware.com](mailto:dgeiger@recprosoftware.com)

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December 31, 2015

City of Fernandina Beach  
Attn: City Clerk's Office – ITB #15-06 Submittal  
204 Ash Street  
Fernandina Beach, FL 32034

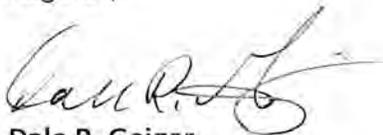
We appreciate this opportunity to provide this response and look forward to an opportunity to serve the City of Fernandina Beach. By choosing **ReCPro™** Software, Fernandina Beach Parks & Recreation will become part of a growing community of Parks and Recreation Departments that are enjoying the benefits of the most Intuitive Solution on the market today.

**ReCPro™** Software is scalable so you can choose features based on your organization's current needs and add features in the future as those needs expand. We have prepared this proposal based on our understanding of your current needs described in the RFP.

R.C. Systems was founded in 1985 (30 Years) and has been offering products and services to the recreation market since 1995 (20 Years). We offer user-friendly products that are proven and reliable. We offer friendly, knowledgeable and patient customer support that is second to none.

Our goal is to build strong partnerships with our customers and continually improve our products to meet the expanding needs of those customers. We look forward to a continued long and mutually rewarding relationship between our two organizations.

Regards,



**Dale R. Geiger**  
Vice President

R.C. Systems, Inc.  
35807 Moravian Drive  
Clinton Twp, MI 48035

Phone: 586-469-4200 x103  
Fax: 586-469-4867  
E-Mail: [dgeiger@recprosoftware.com](mailto:dgeiger@recprosoftware.com)  
EIN: 38-2748172

## **Project Understanding**

R.C. Systems, Inc. specializes in the development, sales, training and on-going support of Recreation Management Software. Our **ReCPro™** Software product has been in existence since 1995 (20 Years) and is a proven, off-the-shelf, standardized, Client/Server Recreation Management Solution that comes equipped with most of the required Parks & Recreation modules listed in your RFP.

**ReCPro™** Software was designed with latest **Microsoft®** .NET technology and is backed by **Microsoft®** SQL Server (2014, 2012 or 2008), a powerful and reliable SQL Database Management System.

We are proposing a package that will include the following features & services based on the requirements listed in the RFP and researching the City of Fernandina Beach Parks & Recreation Department.

### Software Features (Included):

- **Client / Server Application** (Microsoft® .Net backed by MS SQL Server Database)
- **Supported by Windows Operating Systems** (Microsoft® Windows 10, 8, 7 and Vista)
- **Uses Microsoft® SQL Server DBMS** (2014, 2012 or 2008 – Express, Standard & Enterprise Editions)
- **Uses a Windows Based Server Operating System** (Microsoft® Windows Server 2012 or 2008)
- **Supports Industry Standard Web Browsers** (IE 8-11, Google Chrome, Mozilla Firefox or Safari)
- **Option for 3<sup>rd</sup> Party Website Hosting** (for the eCommerce Website provided with software package)
- **Customer Account Management** (Managing Household Info, Payment History, Transaction History)
- **Activity Registration** (Registration for Enrichment, Recreation, Sports, Aquatics, Trips)
- **Facility & Equipment Reservation** (Reservations for Activities, Leagues, Public Rentals)
- **Memberships / Passes** (Memberships, Seasonal Passes, Visit Passes/Punch Cards)
- **Sports League Management** (Creating Rosters, Scheduling Games, Managing Coaches & Officials)
- **Day Camp / Child Care Registration** (Registration for Summer Camps, Before/After School Care)
- **eCommerce Website** (Accept Online Payments for Registrations, Reservations, Memberships/Passes)
- **Email Marketing/Notifications** (Sending Marketing and Notification emails to Customers)
- **Statistical Reporting** (Demographic Statistics, Facility Usage Statistics, Revenue Collected)
- **Smart Device/Social Media Integration** (Responsive Registration Site with Social Media Sharing)
- **Instructor Management** (Instructor Database, Instructor Payments, Instructor Web-Portal for rosters)
- **G/L Export** (For purposes of uploading journal entry to City's Financial System - Springbrook)
- **Integrated Payment Processing / POS** (Accepting all forms of Payments. PCI & EMV Compliant)
- **Create Member Photo IDs or Key Tags** (Barcoded IDs for the purpose of scanning at check-in)
- **Real Time at All Locations** (All Transactions at all In-House Sites and eCommerce Site are Real Time)
- **10 Concurrent User Licenses** (Sold in blocks of 5)

Professional Services (Included):

- Project Management
- Installation & Configuration of MS SQL Database and eCommerce Website
- Data Consulting
- Classroom Training (either On-Line or On-Site)
- On-Going Support, Maintenance & Updates

## Client References

- City of Satellite Beach Parks & Recreation  
Kerry Stoms – Director  
[kstoms@satellitebeach.org](mailto:kstoms@satellitebeach.org)  
Satellite Beach, FL  
<http://satellitebeach.org>  
Phone: (321) 773-6458 x205
- City of Port Orange Parks & Recreation  
Peter Ferreira – Assistant Director  
[pferreira@port-orange.org](mailto:pferreira@port-orange.org)  
Port Orange, FL  
<http://registration.port-orange.org>  
Phone: (386) 506-5864
- Town of Belleair Parks & Recreation  
Eric Wahlbeck – Assistant Director  
[ewahlbeck@townofbelleair.net](mailto:ewahlbeck@townofbelleair.net)  
Belleair, FL  
<http://www.belleairparksandrecreation.com>  
Phone: (727) 518-3728 x291
- City of Homestead Parks & Recreation  
Jeny Cintron – Assistant  
[jcintron@cityofhomestead.com](mailto:jcintron@cityofhomestead.com)  
Homestead, FL  
<http://www.cityofhomestead.com>  
Phone: (305) 224-4851
- City of Bartow Parks & Recreation  
Lauren Meduho – Recreation Supervisor  
[lmeduho.parks@cityofbartow.net](mailto:lmeduho.parks@cityofbartow.net)  
Bartow, FL  
<http://bartowprograms.net>  
Phone: (863) 534-0120
- City of New Smyrna Beach Parks & Rec  
Kimla Shelton – Program Coordinator  
[kshelton@cityofnsb.com](mailto:kshelton@cityofnsb.com)  
New Smyrna Beach, FL  
<http://nsbpnr.com>  
Phone: (386) 424-2175
- City of Sunny Isles Beach Parks & Rec  
Sylvia Flores – Human Resources  
[sflores@sibfl.net](mailto:sflores@sibfl.net)  
Sunny Isles Beach, FL  
[http://www.sibfl.net/main\\_recreation.asp](http://www.sibfl.net/main_recreation.asp)  
Phone: (305) 792-1796
- City of South Miami Beach Parks & Rec  
Quentin Pough – Director  
[qpough@southmiamifl.gov](mailto:qpough@southmiamifl.gov)  
South Miami, FL  
Phone: (305) 668-3867
- Celebration Residential Owners Assoc.  
Patrick Dume – Customer Service Mgr  
[pdume@celebrationtownhall.com](mailto:pdume@celebrationtownhall.com)  
Celebration, FL  
Phone: (407) 566-1200

## **Hardware & Operating System Requirements**

ReCPro™ is a Client/Server Application. It is a requirement for your department to supply a Windows Server and Windows Workstations that meet the requirements below.

ReCPro™ SQL Server Database MUST be installed on a Windows Server on your LAN. The selected server CANNOT be running Microsoft Exchange Server as SQL Server and Exchange Server cannot be installed on the same server. ReCPro™ comes bundled with a SQL Server (Express Ed.) Database so it is NOT a requirement for your department to purchase SQL Server (Standard or Enterprise Ed.) unless you plan to purchase more than 25 Concurrent User Licenses.

### **Required Software:**

- Microsoft.Net Framework 4.5
- Microsoft SQL Server 2014, 2012 or 2008 (ReCPro™ comes bundled with the Express Ed.)
- Windows Based Operating System (both Client and Server)

### **Supported SQL Server Versions:** (IMPORTANT: We no longer support SQL Server 2005)

- SQL Server 2014 (Express, Standard or Enterprise Edition)
- SQL Server 2012 (Express, Standard or Enterprise Edition)
- SQL Server 2008 (Express, Standard or Enterprise Edition)

### **Supported Client Operating Systems:** (IMPORTANT: We no longer support Windows XP)

- Windows 10 32bit/64bit
- Windows 8 32bit/64bit
- Windows 7 32bit/64bit
- Vista (SP2) 32bit/64bit

### **Supported Server Operating Systems:** (IMPORTANT: We no longer support Windows Server 2003)

- Windows Server 2012 R2
- Windows Server 2012
- Windows Server 2008 R2
- Windows Server 2008

### **Supported Windows Virtualization Solutions:**

- VMWare Player
- Hyper-V
- VirtualBox
- Virtual PC

**Space Requirements:**

- SQL Server (Express Ed.) can generally be used in many situations. SQL Server 2014 & 2012 (Express Ed.) have a 10 gigabyte size limit and SQL Server 2008 (Express Ed.) has a 4 gigabyte database size limit. If at any time, your data requirements start to get close to this limit, you can easily upgrade to the Enterprise Edition of SQL Server without any data loss.
- The client application is relatively small and only takes up a few hundred megabytes of space. Aside from the (.net) Frameworks requirements, disk space on the client desktop is minimal.

---

Using **ReCPro™** Online Registration requires you to either host the Registration Website on an internal server (preferably on the same server **ReCPro™** is installed) or host with one of our recommended 3<sup>rd</sup> Party web host partners (*currently DiscountASP or InfoQuest*).

**Web Server Requirements:** (*if you host Registration Website internally*)

- Minimum 4 GB RAM
- Minimum Dual Core processor
- Microsoft.Net Framework 4.5
- Microsoft SQL Server 2014, 2012 or 2008 (*ReCPro™ comes bundled with the Express Ed.*)
- Microsoft Internet Information Services (IIS) – (*Supported Versions: 6.0, 7.0, 7.5, 8.0, 8.5*)
- Minimum Bandwidth – 768 Up and Down
- SSL Certificate (256-bit)

**Port Requirements:**

- **Hosting on your Internal Server** will require you to open **BOTH** port 80 (HTTP) **AND** port 443 (SSL). The website will not function properly without both of these ports.
- **Hosting at Third Party** will require you to open a **SECURE** port on your network so the website can communicate with and pass data to the internal Microsoft SQL Server Database using Web Services – EXAMPLE : Port 443 (SSL)

**Supported Website Browsers:** (*for Online Registration Website*)

- Internet Explorer (*Supported Version 8, 9, 10, 11*)
- Google Chrome
- Mozilla Firefox
- Safari

**Exhibit 'A' – Bid Form**

**CITY OF FERNANDINA BEACH ITB # 15-06  
RECREATION MANAGEMENT SOFTWARE IMPLEMENTATION**

I hereby submit the following bid for R.C. Systems, Inc. Price is in accordance with the Specifications and the General Conditions of the ITB as provided.

**Bid Amount: \$ 16,250.00**

\*\*\*\*\*

Name: R.C. Systems, Inc.

Federal Taxpayer ID: 38-2748172

Mailing Address: 35807 Moravian Drive

City, State, & Zip Code: Clinton Township, Michigan 48035

Telephone: (586) 469-4200 x103 Fax: (586) 469-4867

Submitted By: Dale Geiger 

Title: Vice President

Remarks: We do accept payments via Check, Credit Card or EFT. For all payment submittals, please contact Chris Andrews at (586) 469-4200 x102 or [candrews@recprosoftware.com](mailto:candrews@recprosoftware.com)

**IF NOT SUBMITTING A BID, IN ORDER TO REMAIN ACTIVE IN OUR BID VENDOR RECORDS, PLEASE COMPLETE THIS FORM MARKED "NO SUBMITTAL" WITH THE REASON, AND FAX TO (904) 310-3457.**

**Exhibit 'B' – Public Entity Crimes Statement**

## TO GENERAL CONDITIONS TO ITB # 15-06

CITY OF FERNANDINA BEACH, FLORIDA SWORN STATEMENT UNDER F.S.  
SECTION 287.133(3)(A), ON PUBLIC ENTITY CRIMES

**THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted with Bid, Proposal or Contract for Rec Mgmt Software (15-06).
2. This sworn statement is submitted by (entity) R. C. Systems, Inc., whose business address is 35807 Moravian Drive, Clinton Twp., MI 48035 and (if applicable) Federal Employer Identification Number (FEIN) is 38-2748172.
3. My name is Dale Geiger and my relationship to the entity named above is Vice President.
4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g). Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
  1. A predecessor or successor of a person convicted of a public entity crime; or
  2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The City of Fernandina Beach, Florida ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

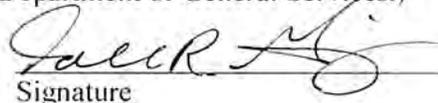
8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (Please attach a copy of the final order.)

The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

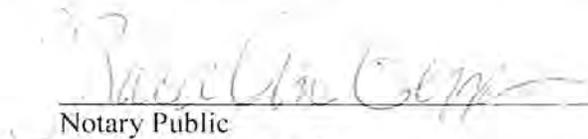
The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)



12/31/2015  
Date

STATE OF MICHIGAN  
COUNTY OF MACOMB

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 31<sup>st</sup> day of December, 2015, and is personally known to me.



Notary Public  
My Commission expires:

TRACIE ANN GEIGER  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Jan 15, 2022  
Acting in the County of Macomb

**Exhibit 'C' – Drug Free Workplace Certification**

**TO GENERAL CONDITIONS TO ITB # 15-06  
CITY OF FERNANDINA BEACH**

**DRUG-FREE WORKPLACE CERTIFICATION**

The below-signed Proposer certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace prepare, a business shall:

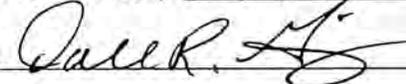
1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or services a copy of the statement specified in paragraph 1.
4. In the statement in paragraph 1., notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on, or require fine satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I Certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: R.C. Systems, Inc.

CITY / STATE / ZIP CODE: Clinton Township, Michigan 48035

TELEPHONE NUMBER(S): (586) 469-4200

SIGNATURE: 

NAME (TYPED OR PRINTED): Dale Geiger TITLE: Vice President

**Exhibit 'D' – E-Verify Statement**

**ITB #15-06  
CITY OF FERNANDINA BEACH**



**E-VERIFY STATEMENT**

**Bid/Proposal Number:** 15-06

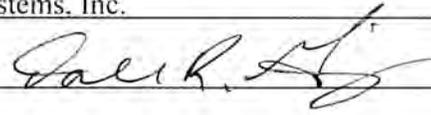
**Product or Project Description:** Recreation Management Software Implementation

Vendor/Consultant acknowledges and agrees to the following:

Vendor/Consultant shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:

1. All persons employed by the Vendor/Consultant during the term of the Contract to perform employment duties within Florida; and
2. All persons, including subcontractors, assigned by the Vendor/Consultant to perform work pursuant to the contract with the Department.

**Company/Firm:** R.C. Systems, Inc.

**Authorized Signature:** 

**Title:** Vice President

**Date:** December 31, 2015

**Pricing Details**

Feature	Retail Price	Sale Price	Annual Support & Maint <sup>(2)</sup>	Online Setup & Training	Year 1 Grand Total
Base Package <sup>(1)</sup> with (5) Concurrent User Licenses		\$2,000	\$1,000	\$800	\$3,800
eCommerce Website		\$2,000	\$1,000	\$800	\$3,800
Activity Registration		\$750	\$375	\$400	\$1,525
Facility Reservation		\$750	\$375	\$400	\$1,525
Membership Management		\$500	\$250	\$300	\$1,050
League Scheduling		\$500	\$250	\$300	\$1,050
Child Care / Day Camp Management		\$500	\$250	\$300	\$1,050
Integrated Payment Processing		\$500	\$250	\$200	\$950
Add'l (5) Concurrent User Licenses		\$500	\$250	\$0	\$750
<b>Sub-Total – Features</b>		<b>\$8,000</b>	<b>\$4,000</b>	<b>\$3,500</b>	<b>\$15,500</b>
<b>Additional Annual Fees</b>					
			<b>Annually</b>		<b>1<sup>st</sup> Year</b>
SSL Certificate <sup>(3)</sup>			\$250		\$250
3rd Party Website Hosting <sup>(4)</sup>			\$500		\$500
<b>Sub-Total – Additional Fees</b>			<b>\$750</b>		<b>\$750</b>
<b>Grand Total – Year 1</b>		<b>\$8,000</b>	<b>\$4,750</b>	<b>\$3,500</b>	<b>\$16,250</b>
<b>Other Fees to Consider</b>					
		<b>Fee</b>			<b>1<sup>st</sup> Year</b>
Travel Expense for Onsite Training <sup>(5)</sup>		\$3,100			\$3,100
3rd Party Credit Card Processing Fees		TBD			TBD

(1) Base Package Includes: (Customer Account Management, G/L Export, Merchandise Sales, E-mail Marketing and System Admin Features for User Management and System Setup).

(2) Annual Support (\$4,000.00) is billed annually and will increase a maximum of 10% every 3 years.

(3) SSL Cert will keep all customer info secure on your registration site. This is a REQUIRED annual fee.

(4) Website Hosting is a REQUIRED annual fee if you cannot host the registration site internally.

(5) If you prefer On-Site Training, travel expenses are \$3,100.00 in addition to the training & setup fee.

### 5 Year Cost Projection

5 Year Costs	Software License	Annual <sup>(1)</sup> Support	SSL Cert	Website Hosting	On-Line <sup>(2)</sup> Training	Annual Payment
Year 1	\$8,000	\$4,000	\$250	\$500	\$3,500	\$16,250
Year 2	\$0	\$4,000	\$250	\$500	\$0	\$4,750
Year 3	\$0	\$4,000	\$250	\$500	\$0	\$4,750
Year 4	\$0	\$4,400	\$250	\$500	\$0	\$5,150
Year 5	\$0	\$4,400	\$250	\$500	\$0	\$5,150
Total	\$8,000	\$20,800	\$1,250	\$2,500	\$3,500	\$36,050

(1) Annual Support is billed annually and will increase a maximum of 10% every 3 years.

(2) If you prefer On-Site Training, travel expenses are \$3,100.00 in addition to the training fee.

### 'Other Fees' Associated with eCommerce Website

The fees listed here are not part of the contract with R.C. Systems, Inc., but are fees associated with operating the eCommerce Website.

#	Description of Other Fees	How many Months	Annual Fee	Total
1	SSL Certificate	1	\$250.00	\$250.00(*)
2	3 <sup>rd</sup> Party Web Hosting (if necessary)	1	\$500.00	\$500.00(*)
3	Website Domain Name (if necessary)	TBD	TBD	TBD

- (1) If you purchase **ReCPro™** 'Online Registration', the SSL Certificate is **REQUIRED** and will keep all personal customer information 'secure' on your website. Our recommendation is to let us purchase the SSL on your behalf so we can maintain the renewal whenever it expires annually. Upon purchase and renewal, we will bill your department for the fee defined above. We purchase the SSL Certificates from GeoTrust. <http://www.geotrust.com>
- (2) If you cannot *Internally* host the 'Online Registration' website, it is **REQUIRED** that you host the registration site with one of our recommended 3<sup>rd</sup> Party Web Hosting partners. You can eliminate the listed annual cost by hosting the 'Online Registration' site on an internal server. If you intend to use one of our partners, our recommendation is to allow us to register the account and be the administrator as it will result in faster and smoother installation and updates of the website.
- (3) If you currently don't own a 'domain name', you may decide to purchase a domain name for your new registration website. If you purchase more years up front, it will reduce the 'annual fee' although you will pay the full amount up front. Check Availability Here - <http://www.register.com>

(\*) In the event the vendor increases their costs for these services, we will be forced to pass those increased costs on to your organization.

## Integrated Payment Processing

There are 3 layers to process payments through software like **ReCPro™** Software (Software Application, Payment Gateway & Payment Processor).

1. Layer 1 is the **Software Application** which in this case is **ReCPro™** Software
2. Layer 2 is the **Payment Gateway** [paymentsgateway.net](http://paymentsgateway.net) provided by **forte™**
3. Layer 3 is the **Payment Processor** which can be either **forte™** or a processor of your choosing as long as that processor will communicate with the [paymentsgateway.net](http://paymentsgateway.net) gateway provided by **forte™**

In order to maintain **PCI Compliance**, you are **required** to use **forte™** for 'Payment Gateway' services. You will then have the choice to also use **forte™** as the Payment Processor or selecting a different 3<sup>rd</sup> Party vendor. There are typically 'Gateway Service Fees' that apply, but **forte™** will **waive** these fees if you are also using them as your Payment Processor.

If you would like specific pricing for your organization we can put you in contact with a **forte™** representative that can discuss all fees related to gateway services, credit card processing, EFT/ACH processing, chargeback fees, minimum monthly fees, etc.

**ATTENTION:** **forte™** offers the option of passing the processing fee on to the customer as a convenience fee so your department does not incur any processing costs whatsoever.

Credit Card Readers ( <i>for purchase through Forte</i> )	Price Each	Image
<b>Verifone VX520 – EMV &amp; PCI Compliant Reader</b> <a href="http://www.verifone.com/products/hardware/counter-top/vx-520">http://www.verifone.com/products/hardware/counter-top/vx-520</a>	<b>\$273.95</b>	
<b>MagTek IPAD – PCI Compliant Magnetic Stripe Reader</b> <a href="http://www.magtek.com/V2/products/pin-entry-and-management/ipad.asp">http://www.magtek.com/V2/products/pin-entry-and-management/ipad.asp</a>	<b>\$259.00</b>	
<b>MagTek Dynamag – Magnetic Stripe Reader</b> <a href="http://www.magtek.com/V2/products/secure-card-reader-authenticators/Dynamag.asp">http://www.magtek.com/V2/products/secure-card-reader-authenticators/Dynamag.asp</a>	<b>\$89.00</b>	

**Point of Sale Equipment List & Pricing**

Original POS Equipment you purchase through ReCPro™	Price Each	Image
<p><b>Cash Drawer (POS-X ION-C16)</b> - This 16" Cash Drawer will sit on top of the counter and allow you to have a secure place to keep all cash, check and credit card receipts. The Cash Drawer connects to Receipt Printer and opens when a receipt prints. <b>Included:</b> USB Cable (EVO-CD-USB)</p>	<p><b>\$175.00</b></p>	
<p><b>Mounting Brackets (EVO-CD16B)</b> - If you would like to Mount your Cash Drawer under a counter, these brackets will be necessary.</p>	<p><b>\$25.00</b></p>	
<p><b>Receipt Printer (POS-X EVO-PT3-1HU)</b> - This EVO HiSpeed Receipt Printer will print quality thermal receipts and connects to the Cash Drawer.</p>	<p><b>\$285.00</b></p>	
<p><b>Thermal Receipt Paper (XWP-T220)</b> – 1 Case (50 Rolls) Thermal Receipt Paper.</p>	<p><b>\$100.00</b></p>	

\*\* ReCPro™ reserves the right to change at any time the Make, Model & Pricing of Equipment. Please verify latest information with ReCPro™ prior to placing an order.

**Membership Equipment List & Pricing**
**OPTION 1 – Photo ID Cards**

Photo ID Card Equipment Descriptions	Price Each	Image
<b>Honeywell Orbit MS7120 Scanner</b> – Mountable Omni-directional Barcode Scanner allows members to check in at your facility	<b>\$325.00</b>	
<b>Logitech Webcam C905</b> – Comes with stand – Allows staff to capture photo of each member and link it to their profile.	<b>\$150.00</b>	
<b>Magicard Rio Pro ID Card Printer</b> – Single Side, Barcode, Full Color – USB & Ethernet options to print out quality ID Cards.	<b>\$2,000.00</b>	
<b>30 mil PVC Plastic Cards</b> – Standard White Cards. Choose your Quantity	<u>Extension</u>	
500 Cards @ \$0.150 ea.	<b>\$75.00</b>	
1,000 Cards @ \$0.125 ea.	<b>\$125.00</b>	
2,500 Cards @ \$0.100 ea.	<b>\$250.00</b>	
5,000 Cards @ \$0.085 ea.	<b>\$425.00</b>	
10,000 Cards @ \$0.075 ea.	<b>\$750.00</b>	
<b>YMCKO Ribbon for MC Rio Pro</b> – Each Ribbon will give you 300 prints.	<u>Extension</u>	
500 Card Prints – 2 Ribbons @ \$100.00 ea.	<b>\$200.00</b>	
1,000 Card Prints – 4 Ribbons @ \$100.00 ea.	<b>\$400.00</b>	
2,500 Card Prints – 9 Ribbons @ \$95.00 ea.	<b>\$855.00</b>	
5,000 Card Prints – 17 Ribbons @ \$85.00 ea.	<b>\$1,445.00</b>	
10,000 Card Prints – 34 Ribbons @ \$75.00 ea.	<b>\$2,550.00</b>	
<b>Cleaning Kits for MC Rio Pro</b> – Each Cleaning Kit is good for 1,200 prints.	<u>Extension</u>	
500 Card Prints – 1 Kit @ \$50.00 ea.	<b>\$50.00</b>	
1,000 Card Prints – 1 Kit @ \$50.00 ea.	<b>\$50.00</b>	
2,500 Card Prints – 3 Kit @ \$50.00 ea.	<b>\$150.00</b>	
5,000 Card Prints – 5 Kit @ \$50.00 ea.	<b>\$250.00</b>	
10,000 Card Prints – 9 Kit @ \$50.00 ea.	<b>\$450.00</b>	

**OPTION 2 – Key Tags**

The Key Tag pricing is for FULL COLOR on the front and BLACK on the back. There are no additional setup charges. The front of the Key Tag can be designed with your logo and department information and the back of the Key Tag will contain the bar code which will identify each member.

Key Tag Equipment / Description	Price / Cost	Image
<b>Honeywell Orbit MS7120 Scanner</b> – Mountable Omni-directional Barcode Scanner allows members to check in at your facility	<b>\$325.00</b>	
<b>Logitech Webcam C905</b> – Comes with stand – Allows staff to capture photo of each member and link it to their profile.	<b>\$150.00</b>	
<b>Custom Key Tags – With Barcode on back.</b> Choose your Quantity (1 Key Tag Per Customer) <ul style="list-style-type: none"> <li>500 Key Tags @ \$0.75 ea. <b>\$375.00</b></li> <li>1,000 Key Tags @ \$0.70 ea. <b>\$700.00</b></li> <li>2,500 Key Tags @ \$0.40 ea. <b>\$1,000.00</b></li> <li>5,000 Key Tags @ \$0.30 ea. <b>\$1,500.00</b></li> <li>10,000 Key Tags @ \$0.25 ea. <b>\$2,500.00</b></li> <li>25,000 Key Tags @ \$0.15 ea. <b>\$3,750.00</b></li> </ul>		
<b>Custom Card / Key Tags – With Barcode on back.</b> Choose your Quantity (1 Card & 2 Key Tags Per Customer) <ul style="list-style-type: none"> <li>500 Card + KeyTags @ \$1.25 ea. <b>\$625.00</b></li> <li>1,000 Card + KeyTags @ \$0.95 ea. <b>\$950.00</b></li> <li>2,500 Card + KeyTags @ \$0.70 ea. <b>\$1,750.00</b></li> <li>5,000 Card + KeyTags @ \$0.55 ea. <b>\$2,750.00</b></li> <li>10,000 Card + KeyTags @ \$0.45 ea. <b>\$4,500.00</b></li> </ul>		

ReCPro™ reserves the right to change at any time the Make, Model & Pricing of Equipment. Please verify latest information with ReCPro™ prior to placing an order.

## **APPENDIX A – IMPLEMENTATION PLAN**

The implementation of *ReCPro™* will go through many steps and shall be coordinated with the schedule of the City's Implementation Project Manager (IPM). Implementation shall commence immediately following contract signature and down payment.

- **Step 1:** Secure agreement with the City and Process Down Payment.
- **Step 2:** Identify the City's Implementation Project Manager (IPM).
- **Step 3:** Provide the City's IPM with Startup Documents.
- **Step 4:** Verify list of any ordered POS or Membership equipment.
- **Step 5:** Identify the City's Information Technology (IT) Director / Manager.
- **Step 6:** Perform installation and configuration of *ReCPro™* SQL Database and Website.
- **Step 7:** Welcome Call.
- **Step 8:** Admin Setup Training.
- **Step 9:** Create Training Database.
- **Step 10:** End User Training.
- **Step 11:** Data Entry by the City.
- **Step 12:** Implementation Complete.

Detailed explanation for each step of the implementation.

**Step 1:** Secure agreement with the City – A purchase order from the City is optional and not required. RCS will provide contracts that will need to be reviewed, signed and returned. Payment as described in the Payment section of the contract is also required prior to installation.

**Step 2:** Identify the City's Implementation Project Manager (IPM) – The City will need to identify their Implementation Project Manager (IPM) which will be a person that works within the Parks & Rec Department and has knowledge of all internal business operations, policies and procedures.

**Step 3:** Provide the City's IPM with Startup Documents – RCS will provide the City's IPM with Startup Documents that will help organize all info/data that will be needed during training. The documents will need to be completed and returned to RCS prior to training.

**Step 4:** Verify list of any ordered POS or Membership equipment – Verify with the City's IPM the list of any POS or Membership equipment that has been ordered thru RCS. Identify the 'Ship To' address and get all equipment ordered and shipped prior to training. Skip this step if the City did not order any peripheral equipment thru RCS.

**Step 5:** Identify the City's Information Technology (IT) Director / Manager – Identify the City's IT Director / Manager or other qualified IT staff that can be available to assist with installation and configuration of the database, website and software application.

**Step 6:** Perform installation and configuration of Database and Website – RCS Support Team will schedule an appointment with the City's IT Department and complete installation and configuration of Database and Website. RCS Support Team will provide the City's IT Dept with the (.MSI) installation files and instructions for the Client Install with the expectation the City's IT Department will complete the Client Install on all User's PC's.

**Step 7:** Welcome Call – RCS will schedule and complete a 15 minute Welcome Call with the City's IPM to introduce the City's IPM to the **ReCPro™** Software Trainer and to also establish a Training Schedule.

**Step 8:** Admin Setup Training – “Admin Setup” Training will be performed ‘On-Line’ and will typically span a couple of days. The Admin Setup Training will include the City's IPM and at the most 1 to 2 other Power Users.

**Step 9:** Create Training Database – Upon completion of the Admin Setup Training, RCS Support will create a Training Database that includes all of the City's setup information so the End User training is more meaningful.

**Step 10:** End User Training – “End User” Training can be performed either ‘On-Line’ or ‘On-Site’. RCS professional recommendation is to include only the Power Users(\*) in the appropriate training sessions and then allow those Power Users(\*) to train the rest of the staff within their department. (Train the trainer)

**Step 11:** Data Entry by the City – During and after End User Training, the Users will be responsible to get all Data Entry completed (ie: Activities, Facilities, Memberships, Customers, etc.).

**Step 12:** Implementation Complete – At the conclusion of End User Training, the implementation project will be completed. The **ReCPro™** Software Trainer will offer Q&A sessions if necessary. It will be the City IPM's responsibility to communicate to the **ReCPro™** Software Trainer as to the City's “Go Live” date so the **ReCPro™** Support Department is prepared to be on high alert for any calls or emails from the City during the Go Live period.

(\*) Power User is defined as a person that has computer skills that can be described as an *advanced* or *intermediate* user and not a *beginner*. Typically a Power User will have had experience with Database Software Applications in the past.

## **APPENDIX B – TRAINING PLAN**

There are two different phases of training. The first phase is the 'Admin Setup' training which will include only the managers or supervisors in charge of system setup and maintenance. The second phase is the 'End User' training which will include more staff, but mainly power users which will then be responsible for training part time staff or staff that will not use the system frequently. Below is a brief outline of the topics covered through both Admin Setup and End User training.

### **ADMIN SETUP TRAINING**

**1) Setting up the System Foundation** Estimated Time: 5 Hours

**Focus:** Inputting all system setup information. For Example: Users, Sites, G/L Accounts, Fees, Discounts, Merchandise, Categories, Sub-Categories, Facility & Rooms, etc.

**2) Setting up Facility Rental System** Estimated Time: 5 Hours

**Focus:** Inputting all setup information for facility rentals. For example: Rental Fees, Time Blocks, Rental Options, Security Deposits, Rental Packages. We will run tests on the rate calculations to be sure the tables are setup properly.

**3) Setting up Activities and Instructors** Estimated Time: 4 Hours

**Focus:** Inputting all of your Instructors and Activities (Classes, Events, Programs, Trips, Sports Leagues, etc.) for the upcoming Registration Period.

**4) Setting up Memberships** Estimated Time: 3 Hours

**Focus:** Inputting and setting up all Memberships, Seasonal Passes, Visit Passes, Plans, Terms, Fees, etc.

**5) Setting up Day Camps / Child Care Activities** Estimated Time: 4 Hours

**Focus:** Inputting all of your Instructors, Camps and Activities for the upcoming Registration Period.

## END USER TRAINING

### 6) **Front Desk Functions** Estimated Time: 3 Hours

**Focus:** Setting up Customer Accounts along with taking Registrations, Memberships Sales, Merchandise Sales, Accepting Payments, Issuing Refunds, Voids and other Financial Functions & Reports.

### 7) **Facility Rental Permits** Estimated Time: 3 Hours

**Focus:** Setting up Customer Accounts along with Creating Rental Permits, Contracts, Invoices, Payments and other Financial Functions & Reports. Other management functions covered: Track Security Deposits, Edit Rentals, Calendar Use.

### 8) **On-Line Registration – Web Administrator** Estimated Time: 3 Hours

**Focus:** Setting up your Registration Website and all content within. The website administrator will be trained on how to setup drop down menus, content pages, links, documents, waivers, photos and also how to create static text.

### 9) **League Scheduling** Estimated Time: 3 Hours

**Focus:** Get trained on how to Auto-Draft or Manually Draft rosters (for Youth Leagues). Other topics covered is how to create schedules, enter teams, schedule officials, post scores, cancel / reschedule games.

### 10) **Credit Cards / ACH** Estimated Time: 2 Hours

**Focus:** Get trained on how to accept credit cards and reconcile the credit card transactions at the end of the day. Also get trained on how to setup recurring billing (membership) contracts via Credit Card & ACH.

## **APPENDIX C – ADDITIONAL INFO – SOFTWARE FEATURES & SERVICES**

*ReCPro™* Software is extremely easy to use for both City staff and City patrons as our product has always been designed with the user in mind. The system will help the City provide excellent customer service as it pertains to activity & camp registration, facility reservations, membership management, payment processing and reporting.

1. **Customer Database Management & Reporting** – Our customer management module allows customer accounts to be shared across all modules (registration, rentals, memberships, etc.) and has powerful search features along with ability to export data. Key fields are required in an effort to keep a consistent and accurate database. Please visit our website for more info <http://recprosoftware.com/project/10customer-management/index.html>
2. **Activity Registration** – Our activity registration module is extremely easy to use and will assist staff with managing registrations, participants, transfers, cancellations, rosters, attendance sheets, instructors, wait lists and waivers. Please visit our website for more information <http://recprosoftware.com/project/01activity-registration/index.html>
3. **Facility Reservation & Scheduling** – Our facility reservation module is extremely easy to use and is completely integrated with the program registration and league scheduling modules so users can book all of their programs, leagues and public rentals using the same calendar system. Please visit our website for more info <http://recprosoftware.com/project/03facility-rentals/index.html>
4. **Memberships** – Our membership module will allow staff to setup on-going memberships, seasonal passes or visit passes with the option of offering automatic monthly recurring billing via Credit Card or ACH. Effectively manage membership sales, renewals, check-in validations and payments using Photo ID Cards or Custom Key Tags. Please visit our website for more info: <http://recprosoftware.com/project/04course-registration/index.html>
5. **Child Care / Day Camp Registration** – Our child care / day camp registration module will assist staff with managing registrations for camps and child care activities while providing daily sign-in and sign-out sheets for attendance tracking. End of year tax statements are available for customers. Please visit website for more info: <http://recprosoftware.com/project/05child-care-day-camp-registration/index.html>
6. **League Scheduling** – Our league scheduling module will assist staff with managing both youth and adult leagues relative to rosters, schedules, volunteer coaches, officials, scores, standings, reschedules, etc. Please visit our website for more information <http://recprosoftware.com/project/06league-scheduling/index.html>

7. **Online Registration, Reservation & Payments** – Our online registration website is extremely easy to use and is completely responsive so it will interface with any device (PC, tablet, phone, etc.). We will create a registration site for the City that resembles the City’s website. Please visit our website for more info <http://recprosoftware.com/project/02online/index.html>
8. **Payment Processing** – Our integrated payment processing module provides the City with a safe and secure way to processing all credit card payments (internal, online & recurring). Refunds are available immediately back to customer’s credit card. Please visit our website for more info <http://recprosoftware.com/project/09payment-processing/index.html>
9. **Marketing & Communication** – Our system comes standard with many different ‘mass email’ functions that allow users to create mailing lists based on specific interests or criteria in each specific module (registration, rentals, memberships, customer management, etc.). Users can then compose their own custom email and send it out to the generated mailing list. Please visit our website <http://recprosoftware.com/project/11email-marketing/index.html>
10. **Statistical Reporting** – Our statistical & financial reporting and G/L Export features will help the City track financial accounting for all transactions. Please visit our website for more info <http://recprosoftware.com/project/12statistical-reporting/index.html>

# ReCPro™ Standard Product Features



## **Activity Registration**

Increase department efficiency by using *ReCPro™* Activity Registration



## **Online Registration**

Eliminate long lines by using *ReCPro™* Online Registration



## **Facility Reservation**

Avoid schedule conflicts by using *ReCPro™* Facility Reservation



## **Membership / Passes**

Increase member retention by using *ReCPro™* Membership Management



## **Child Care / Camps**

Increase department efficiency by using *ReCPro™* Child Care Registration



## **League Scheduling**

Save time by using the *ReCPro™* League tools for drafting & scheduling



## **Inventory / POS**

Manage inventory accurately by using the *ReCPro™* Inventory and POS features



## **Locker Rentals**

Generate additional revenue by using *ReCPro™* Locker Management



## **Payment Processing**

Process payments with confidence by using *ReCPro™* Pay Processing



## **Customer Mgmt**

Improve customer service by using *ReCPro™* Customer Account Management



## **E-mail Marketing**

Increase public awareness by using the *ReCPro™* Email Marketing Tools



## **Statistical Reporting**

Evaluate data and make informed decisions by using *ReCPro™* Reporting

## ReCPro™ Product / Support Highlights



### **Mobile Friendly**

ReCPro™ offers dynamic and responsive registration website designs.



### **Social Media Sharing**

Our social media sharing tools will help increase interest and participation in your programs.



### **User Friendly**

ReCPro is extremely easy to use and has always been “Designed with the User in Mind”.



### **ReCPro Listens**

ReCPro™ encourages customers to provide feedback on recommended features to develop.



### **First Class Support**

The support team at ReCPro™ is knowledgeable, friendly, patient and available when needed.



### **Functional Scalability**

Choose features based on your department’s current needs. Add features when those needs expand.



### **Standard Reports**

ReCPro™ contains hundreds of standard reports. All reports can be previewed, printed, emailed or exported.



### **Customized Layout**

Customize layout & results of data grids & reports using the options for sorting & column choosing.



### **Personalized Design**

Personalize your experience by choosing from several different standard themes for your internal users.

## **APPENDIX D – SAMPLE SCREENSHOTS**

### Sample Customer (family) Entry Screen

**ReCPro™** will allow your staff to enter customers as “Families” so the address information only needs to be entered one time. Enter all family members, emergency contacts and customize the entries made for each family member by using our Column Chooser option. **ReCPro™** includes comparison functions that will help prevent duplicate customers.

Customers

---

Head of Household

Last Name: Geiger      First Name: Dale      Birthdate: 7/15/1971      Age: 37      Gender: Male

Family Information    Emergency Contacts    Activity History    Vehicles

---

Company Name:      Notes: Dale works @ R.C. Systems, Inc.

Address: 12345 My Street

Address:

Zip/City/State: 48043      Mount Clemens      MI

Municipality: Mount Clemens      Resident

E-Mail: dale@rcsystemsinc.com

Primary Phone: (586) 469-4200

Secondary Phone: (586) 469-4444

Other Phone: (586) 469-5555

Financial Assistance     Exclude Mailings  
 Taxable     Do Not Accept Checks  
 Inactive     Allow Open Balances  
 Exclude E-Mails

---

Family Member Information    Customer Classifications

First Name	Last Name	Birthdate	Age	Gender	Expected Graduation	Grade	Last Physical	Birth Certificate	Notes	School
Dale	Geiger	7/15/1971	37	Male	0		8/31/2007			
Jacob	Geiger	8/28/2002	6	Male	2017	4		<input checked="" type="checkbox"/>		
Kara	Geiger	1/15/1998	11	Female	2020	1		<input checked="" type="checkbox"/>		
Luke	Geiger	5/24/2000	9	Male	2018	3		<input checked="" type="checkbox"/>		

Record 1 of 4

Sample Checkout Screen

ReCPro™ will allow your staff to accept CASH, CHECK, CREDIT CARD, ACCOUNT CREDIT or OTHER. The system will also allow staff to split payment between all of these methods. Below is a sample checkout screen that also shows how the user can PRINT the receipt, EMAIL the receipt or PRINT & EMAIL it at the same time.

Checkout 

Purchase Total

Amount: **\$175.00**

Payment Received

	Amount	
<input type="text" value="Cash"/>	\$75.00	
		<b>Check#</b>
<input type="text" value="Check 1"/>	\$100.00	1234
<input type="text" value="Check 2"/>		
<b>CC#    Transaction ID    Auth Code</b>		
<input type="text" value="Credit Card 1"/>		<input type="button" value="Process Card 1"/>
<input type="text" value="Credit Card 2"/>		<input type="button" value="Process Card 2"/>
	\$0.00	Credit Balance:    \$0.00
<input type="text" value="Other"/>		
<b>Total Received:</b>	<b>\$175.00</b>	



Sample Member 'Check-In' Screen

ReCPro™ contains member check-in screen that will immediately identify memberships that are expired, suspended, cancelled, etc. The screen will also identify members that owe the department money and whether or not their balance is overdue.

Member Check-In - 12/14/2010 10:44:08 AM

Check-In Scan Totals

Change Location Location: Happyhold - Conference Room **Valid**

Find Member Card#: Status Person

Edit Customer Name: Dale Geiger

Shopping Cart Age/Gender: 39 Male

Membership/Pass: Swim Membership - Family 12 Months Family Member Notes

Unlink Scan Expiration: 11/28/2011

Alerts

visits Remaining: 0

Open Balance: \$710.00

Overdue Balance: \$710.00

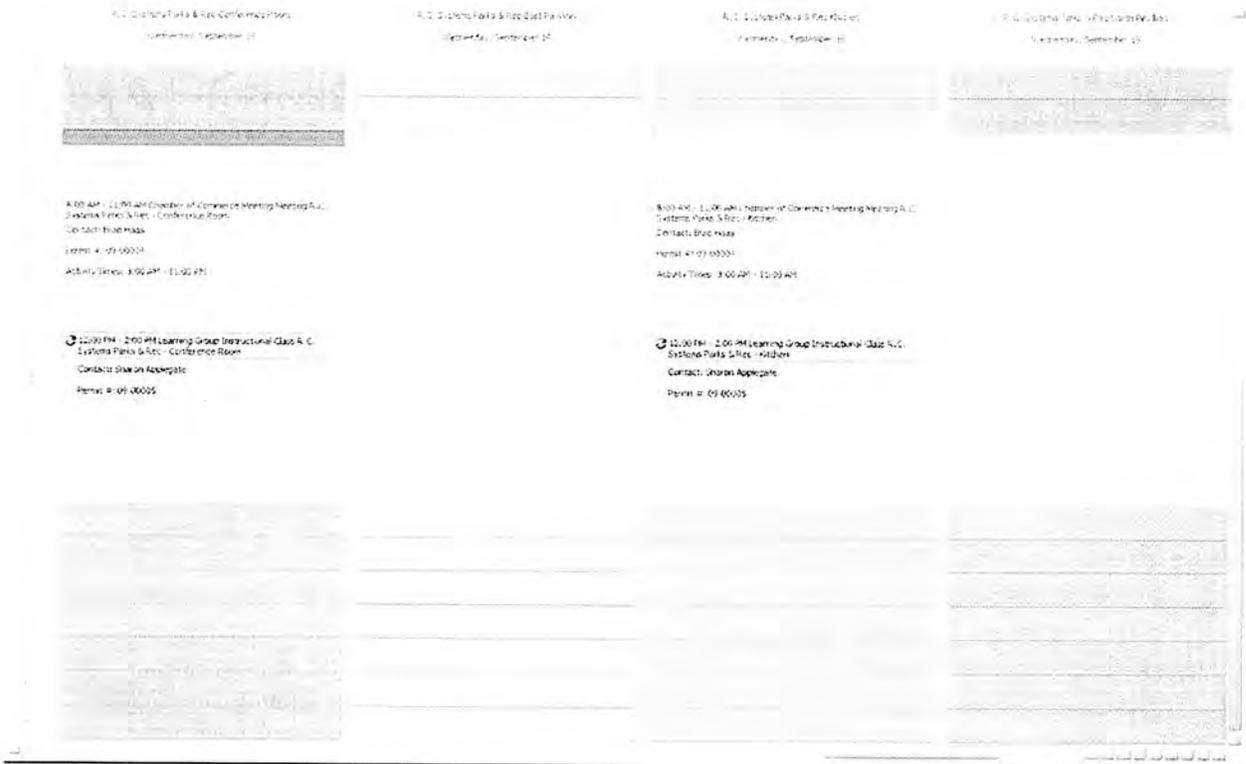
Do Not Auto Show Lookup

Time Scanned	Card#	Name	Membership	Expiration
10:43:57 AM	0	Dale Geiger	Swim Membership - Family 12 Months	Valid
10:43:58 AM	8	David Albert	Swim Membership - Single 12 Months	Cancelled
10:43:35 AM	3	Lisa Simpson	Swim Membership - Single 12 Months	Expired On 12/04/2010
10:43:08 AM	0	Jason Bailey	Visit Pass - Single 10 Visit Pass	Valid - With an Alert
10:41:27 AM	0	James Hass	Swim Membership - Single 12 Months	Valid

Valid On Hold Suspended Minor Expired Invalid Location

Facility Calendar

ReCPro™ will allow your staff to view all similar facilities at one time. In the example above, we are viewing all Pavilions for a specific date so we can locate availability at any of the Pavilions we manage.



Facility Usage Statistics

ReCPro™ can provide statistical analysis on the usage of your facilities by displaying the number and percentage used based on 1) Number of Reservations; 2) Number of People Attending Events; 3) Hours Used; 4) Revenue Generated; 5) No Charge Revenue lost.

**Usage Statistics**

From Activity Date: 1/1/2014	Facility:
Thru Activity Date: 12/31/2014	Room:
Facility Category:	Customer:
Room Category:	Use Type:

Details Summary

Reservations Head Count Hours Revenue No Charge

Description	Reservations	Percent
<b>Group: Facilities Total Reservations: 348</b>		
JFK Elementary School	61	17.53 %
Arlington Park	47	13.51 %
Hammond Park Gymnastics Center	38	10.92 %
WSEC	36	10.34 %
Narragansett Elementary School	31	8.91 %
Eisenhower High School	28	8.05 %
North Chattanooga Recreation Center	23	6.61 %
Torrance Cultural Arts Center	20	5.75 %
Bethel Park Community Center	18	5.17 %
Silver Lake Intermediate School	11	3.16 %
City of Woodland Hills Parks & Recreation Office	10	2.87 %
Harwich Community Center	7	2.01 %
R.C. Systems, Inc.	6	1.72 %
William Walker Recreation Center	4	1.15 %
Edge Ice Arenas	3	0.86 %
Chili Community Center	3	0.86 %
Ebeling Elementary	1	0.29 %
Ashwaubenon Community Center	1	0.29 %

Sample Receipt

ReCPro™ receipts are very informative and contain pertinent information for each program the family registered. The receipt will also print a unique receipt#, date, total and pay methods used. You can also add a receipt note to the bottom of the receipt.



R.C. Systems, Inc.  
35807 Moravian Dr  
Clinton Township, MI 48035  
Ph: (586) 469-4200  
Fax: (586) 469-4367

**Customer:** Jim Kraus  
129 West Pioneer Trail  
Aurora, OH 44202

Sales Receipt		
Receipt ID:	90168827	
Receipt Date:	12/03/2009	
Receipt Total:	\$217.00	
Paid By:	Jim Kraus	
Registrar:	DRG	
Pay Method:	Cash	\$17.00
	Check# 13432	\$200.00
Primary Phone:	(330) 562-4333	

Season/Year	Number	Item Description	Quantity	Price Ea	Total
Summer 2009	2100-B	<p><b>Princess Camp - Ages: 5-8</b>  <b>Participant: Alayne Jones</b>                      Focuses on ballet, tap and jazz while incorporating Princess music. Clothing: Any color leotard &amp; tights; ballet slippers &amp; tap shoes.                      Date: 7/6/2009 - 8/13/2009                      Day(s): Mon, Wed Time: 9:30 AM - 10:15 AM Facility: Visions Dance Studio Room(s): Studio 1</p>	1	\$77.00	\$77.00
Summer 2009	5000	<p><b>Tennis Clinic</b>  <b>Participant: Jim Kraus</b>                      Join us for a 6 week clinic on learning the basic skills of tennis.                      Date: 1/7/2010 - 2/11/2010                      Day(s): Thur Time: 7:00 PM - 8:00 PM Facility: Anchor Bay High School Room(s): Gymnasium</p>	1	\$70.00	\$70.00
Summer 2009	5000	<p><b>Tennis Clinic</b>  <b>Participant: Wendy Kraus</b>                      Join us for a 6 week clinic on learning the basic skills of tennis.                      Date: 1/7/2010 - 2/11/2010                      Day(s): Thur Time: 7:00 PM - 8:00 PM Facility: Anchor Bay High School Room(s): Gymnasium</p>	1	\$70.00	\$70.00

HAPPY HOLIDAYS!  
From Everyone Here at R.C. Systems, Inc. and ReCPro.

Demographics – Detail & Graphs

ReCPro™ will allow your staff to quickly produce a Demographic report that will show registration totals for a period of time and give detail by Gender, Residency, Age, etc.

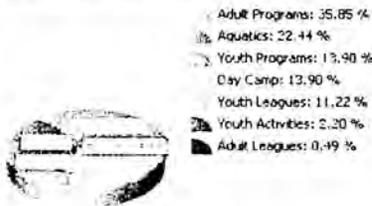
**Course Demographics  
Participation Counts**

Grand Totals					
<b>Total Registrations:</b>	410	<b>0 - 9:</b>	105	<b>50 - 59:</b>	12
<b>Total Males:</b>	199	<b>10 - 19:</b>	102	<b>60 - 69:</b>	10
<b>Total Females:</b>	211	<b>20 - 29:</b>	34	<b>70 - 79:</b>	1
<b>Total Online:</b>	1	<b>30 - 39:</b>	65	<b>80 - 89:</b>	0
<b>Total In-House:</b>	409	<b>40 - 49:</b>	70	<b>90 - 99:</b>	0
<b>Total Resident:</b>	88			<b>&gt;99:</b>	7
<b>Total Non-Resident:</b>	322				

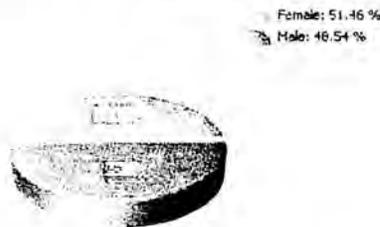
**Course Demographics - Participation Counts Graphs**

06/05/2009 11:10 AM

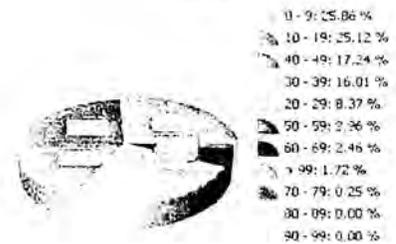
**Registrations Per Category**



**Gender**



**Age**



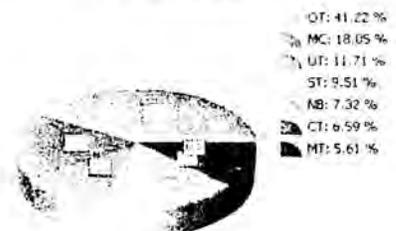
**Residency**



**Registration**



**Municipality**



Balance Register (End of Day)

ReCPro™ will help your staff reconcile their Cash Drawer at the end of the day by providing the Balance Register report. This report can also be distributed to the Finance Department for end of day financial reporting. ReCPro™ also comes equipped with a G/L Export function that would allow staff to provide the Finance Department with a \*.csv file to be imported into the Financial Software.

Balance Register

11/06/2012 11:07 AM

Revenue Account Summary

Revenue Account#	Revenue	Yield/CC Refund	Receipt Total	Cash	Check	Cash & Check Total	Credit Card	ACH	Acct Credit	Other
1000-Copy	\$60.00	\$0.00	\$60.00	\$60.00	\$0.00	\$60.00	\$0.00	\$0.00	\$0.00	\$0.00
1000-Tix	\$70.00	\$0.00	\$70.00	\$0.00	\$70.00	\$70.00	\$0.00	\$0.00	\$0.00	\$0.00
1234-Camp	\$250.00	\$0.00	\$250.00	\$0.00	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00
1234-cont	\$75.00	\$0.00	\$75.00	\$75.00	\$0.00	\$75.00	\$0.00	\$0.00	\$0.00	\$0.00
1235-Camp	\$25.00	\$0.00	\$25.00	\$25.00	\$0.00	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00
3000-tax	\$3.60	\$0.00	\$3.60	\$3.60	\$0.00	\$3.60	\$0.00	\$0.00	\$0.00	\$0.00
4404	\$491.00	\$0.00	\$491.00	\$346.00	\$145.00	\$491.00	\$0.00	\$0.00	\$0.00	\$0.00
4405	\$30.00	\$0.00	\$30.00	\$10.00	\$20.00	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00
4407	\$80.00	\$0.00	\$80.00	\$80.00	\$0.00	\$80.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Grand Total</b>	<b>\$1,084.60</b>	<b>\$0.00</b>	<b>\$1,084.60</b>	<b>\$599.60</b>	<b>\$485.00</b>	<b>\$1,084.60</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

- 110,250 (SOFTWARE)
  - 3100 (onsite training)
  - 285 (receipt printer)
  - 100 (receipt paper)
  - (5) 325 (scanner)
  - 150 (webcam)
  - 2000 (ID card printer)
  - 425 (5000 cards)
  - 1445 (11000)
  - 250 (cleaning kit)
  - ~~1500 (5000 RFID tags)~~
- 2,700  
12,259.00

- 28,898.00
- 750.00 - Adaltec
- 29,648
- 375.00 - rec printer
- 300.00 (rec paper)
- 725.00 (cc reader)



ORDINANCE 2016-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING THE LAND DEVELOPMENT CODE SPECIFIC TO LAND USE DEFINITIONS AS CONTAINED IN CHAPTER 1, SECTION 1.07.00, AND CHAPTER 2, SECTION 2.03.02; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted a unified Land Development Code 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 formed a subcommittee to review the table of land uses seeking to find where clarification and definitions were needed; and

WHEREAS, the Planning Advisory Board subcommittee met with industrial property owners and stakeholders to analyze proposed definitions specific to manufacturing and industrial related uses; and

WHEREAS, the Planning Advisory Board subcommittee met in open meetings on September 2, 2015, October 13, 2015, and October 29, 2015, where they researched, reviewed, drafted, and discussed all proposed revisions specific to new definitions and uses to be added in LDC Sections 1.07.00 and Table 2.03.02; and

WHEREAS, the full Planning Advisory Board met to consider the proposed changed from the subcommittee and receive input from interested stakeholder during the Regular Meeting on December 9, 2015; and

WHEREAS, the Planning Advisory Board has reviewed the suggested amendments in advertised public meetings held on January 13, 2016, and has issued a recommendation of approval subject to identified modifications proposed at the meeting; and

WHEREAS, notice of public hearing on such amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on December 29, 2015.

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

SECTION 1. The City Commission hereby approves and adopts modifications to the Land Development Code of the City of Fernandina Beach, attached hereto as Exhibit "A".

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

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

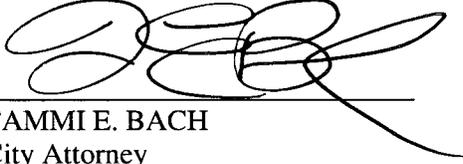
ADOPTED this 15<sup>th</sup> day of March, 2016.

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_

\_\_\_\_\_  
CAROLINE BEST  
City Clerk

TAMMI E. BACH  
City Attorney

**ORDINANCE 2016-03**  
**EXHIBIT "A"**

**Bulk Storage Yard – Solids** means the principal use of a portion or entire parcel or lot for the external storage of un-contained or open solid material stored for the purpose of distribution. No bulk storage yard for solids shall be located in the special flood hazard area.

**Bulk Storage Yard – Liquids** means the principal use of a portion or entire parcel or lot for the external storage of flammable or combustible liquids stored for the purpose of distributing the liquids solely by tank truck. No bulk storage yard – liquids shall be located in the special flood hazard area.

**Health Club** means a building or portion of a building designed and equipped for the conduct of sports or exercise activities operated for profit or not-for-profit, and that can be open only to bona fide members and guests of the organization or open to the public for a fee.

**Manufacturing and/or Assembly – Heavy** means uses involving intensive manufacturing and industrial operations, including the manufacturing, assembly, fabrication, compounding, processing and /or treatment of extracted or raw materials or other industrial products; packaging and freight loading/unloading activities; utilization, handling and bulk storage of materials including raw materials, chemicals and hazardous materials associated with manufacturing processes; and all other associated or ancillary activities. Such use does not include heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing, or other uses generating potentially harmful environmental or nuisance impacts.

**Manufacturing and/or assembly – Light** means the indoor or sheltered production, manufacturing and assembly, processing, cleaning, testing and distribution of materials, goods, foodstuffs and/or products that, by the nature of the materials, equipment and process utilized, is to a considerable measure clean, quiet, and free of any nuisance impacts or hazardous element.

**Manufacturing and/or assembly – Marine-related** means a facility designed for the construction or repair of waterborne vessels and ancillary items for commercial purposes or processing or for packaging of seafood.

**Manufacturing and/or assembly – Artisan** means the shared or individual use of hand-tools, mechanical tools, and electronic tools for the manufacture of finished products or parts, including design, processing, fabrication, assembly, treatment, and packaging of products, as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing includes, but is not limited to, food and bakery products; printmaking; leather products; jewelry and clothing/apparel; metal work; furniture; cabinet making; glass or ceramic production. Such uses shall not produce noise, vibration, air pollution, fire hazard, or noxious emissions that will disturb or endanger neighboring properties.

**Research and development facility** means an establishment that conducts research and/or development and/or creates prototypes of high-technology electronic, industrial, or scientific

products. It may include laboratories conducting educational or medical research or testing. Such uses shall not produce noise, vibration, air pollution, fire hazard, or noxious emissions that will disturb or endanger neighboring properties.

**Salvage Yard/ Junkyard** means a facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances.

**Warehouse** means the principal use of an entire parcel or lot for a structure used for the storage of goods and commodities prior to their use, distribution, or sale. A warehouse use specifically excludes bulk storage of materials generating potentially harmful environmental or nuisance impacts. Hazardous materials or hazardous waste shall not be stored within a special flood hazard area.

**Wholesale Establishment** means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to others acting as wholesalers or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

2.03.02 Table of Land Uses  
**Table 2.03.02. Table of Land Uses**

<b>P – Permissible</b>  <b>S – Permissible Subject to Supplemental Standards</b>  <b>Blank-Prohibited</b>	<b>Zoning Districts</b>																		
	<b>R-E</b>	<b>R1-G</b>	<b>R-1</b>	<b>RLM</b>	<b>R-2</b>	<b>R-3</b>	<b>OT-1</b>	<b>OT-2</b>	<b>MU-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I-1</b>	<b>I-A</b>	<b>I-W</b>	<b>W-1</b>	<b>PI-1</b>	<b>CON</b>	<b>REC</b>
<b>Land Uses:</b>																			
<u>Bulk Storage Yards – Solids</u>													P	P	P				
<u>Bulk Storage Yards- Liquid</u>													P	P					
<u>Health Clubs and Gyms</u>										P	P	P	P						
<u>Junk and Salvage Yards</u>																			
<u>Manufacturing and/or Assembly- Heavy Industry</u>													P	P					
<u>Manufacturing and/or Assembly- Light</u>													P	P					
<u>Manufacturing and/or Assembly- Water Related</u>													P	P	P	P			
<u>Manufacturing and/or Assembly- Artisan</u>								P	P	P	P	P	P	P	P	P			
<u>Research and Experimental Development Laboratories Facilities</u>													P	P	P				
<u>Warehouse, not Including Mini-Storage</u>													P	P	P				
<u>Wholesale Establishments</u>													P	P					

1. **Call to Order** - The meeting was called to order at 5:00 pm.

2. **Roll Call/Determination of Quorum**

**Board Members Present**

Judith Lane, Chair  
Jon Lasserre  
Chip Ross  
David Beal

Mark Bennett, Vice-Chair  
Charles Rogers  
Chris Occhuizzo  
Eric Lawrence (alternate)

**Board Members Absent**

Jamie Morrill (alternate)

**Others Present**

Kelly Gibson, City Planner  
Tammi Bach, City Attorney  
Sylvie McCann, Recording Secretary

Chair Lane briefly spoke with regard to civility during the meeting.

2. **Approval of Meeting Minutes**

2.1 **Review and Approve December 9, 2015 Regular Meeting Minutes – *There being no additions or corrections to the Minutes they were approved as presented.***

3. **New Business**

3.1. **2016-01: LDC TEXT AMENDMENTS SECTION 1.00.07 and 2.03.02 - CITY OF FERNANDINA BEACH (PAB CASE 2016-01), LDC TEXT AMENDMENTS UPDATING CHAPTER 1, SECTION 1.07.00 ACRONYMS AND DEFINITIONS AND UPDATING CHAPTER 2, SECTION 2.03.02 TABLE OF LAND USES TO PROVIDE FOR ADDITIONAL DEFINITIONS AND CATEGORIES FOR BULK STORAGE YARDS, HEALTH CLUBS, MANUFACTURING ACTIVITIES, RESEARCH AND DEVELOPMENT FACILITIES, SALVAGE YARDS, WAREHOUSES, AND WHOLESALE ESTABLISHMENTS.**

Ms. Gibson provided an overview of this item including the fact that this has been discussed at the subcommittee level since August/September 2015. She stated they worked with some of the industrial property owners to come up with definitions that everyone felt comfortable with. She reminded the board this was a discussion item in December, and that it includes several definitions that would be added to the Land Development Code (LDC) through Chapter 1 as well as some new uses defined in table 2.003.02 to better articulate the various types of uses. She recommended approval of the changes. Chair Lane inquired if this included the change about exterior and interior. Ms. Gibson clarified the change was to differentiate between bulk storage solid and liquids and that of a warehouse for purposes of external storage. She stated a warehouse could have bulk storage tied to it in an interior capacity, but where bulk storage outside is what she thought the board was trying to get at for principal use purposes. There was a review and discussion about this language to clarify the definition.

Member Beal questioned where industry could store things. Ms. Gibson explained they can store them, but it cannot be the principal of that lot. Member Beal commented it read to him as if you cannot store things. Ms. Gibson stated it can be an accessory use to large manufacturing. Member Beal questioned the distinction of what makes it heavy metal fabrication. Member Ross commented those words were directly from the Comprehensive Plan. There was some discussion about bulk storage and principle use.

Chair Lane corrected the chart to read “research and development facilities” not “laboratories”. Member Lasserre recommended including a specific definition for heavy metal fabrication so there is no ambiguity. After a brief discussion, Mr. Lynn Williams, 1899 South Fletcher, stated having been 40 years in the heavy manufacturing business normally the term is “heavy (metal) manufacturing” as to define from heavy wood manufacturing or heavy stone manufacturing. He commented it may be better to say heavy manufacturing and leave out metal. He provided additional comments to clarify this. Ms. Gibson explained she didn’t think in practice that there would be difficulty with implementing it as written to say heavy metal fabrication. She stated she didn’t think this was something that needed an additional definition specific to the City of Fernandina Beach. There was further discussion about this.

**A motion was made by Member Ross, seconded by Member Occhuizzo, to accept this as written with the addition of that one sentence at the end to change “laboratories” to “research and development facilities” on the chart, and including the table of land uses. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

#### **4. Board Business**

**4.1. Member Reappointment Request – J. Lane: A motion was made by Member Ross, seconded by Member Rogers, to approve the reappointment of Ms. Lane. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried (Ms. Lane recused herself from voting on this item).**

**4.2. PAB Chair/Vice-Chair Elections - Consideration of Board Chair and Vice Chair in accordance with PAB Bylaws Article II.A.:** Member Bennett commented that the Chair typically serves two terms, but in this case Ms. Lane hasn’t been reappointed to the board by the City Commission. Ms. Gibson explained this was on the agenda now based on the board’s bylaws which call for the board elections to follow the reorganization of the City Commission. After a brief discussion about how to proceed, **a motion was made by Member Ross, seconded by Member Lasserre, to nominate Ms. Judith Lane to serve as Chair and Mr. Mark Bennett as Vice-Chair. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

**Board Business** – Member Ross referred to 8<sup>th</sup> Street and commented the first thing he hears from people is what is going to be done about the trucks. He noted that the Florida Department of Transportation (FDOT) is going to be repaving the street. He stated people were also asking that trucks leaving the mill or the Port could be rerouted to streets other than 8<sup>th</sup> Street. He pointed out he provided staff an article on traffic calming devices. He commented there was a movement afoot to barge chips/logs to the mills and eliminating log trucks. He inquired about reconvening the subcommittee and inviting the FDOT to see what can be done. Member Bennett pointed out there is a concern about scale on areas north of Fir Street and west of 8<sup>th</sup> Street (backs up to the current housing that is there). He stated having a 45 foot building with a residential neighborhood behind it has become a concern. Ms. Gibson reported that is the current height limit. She commented streetscaping, diverting trucks off of 8<sup>th</sup> Street, etc. was not tied directly to the Comprehensive Plan changes and the LDC changes that staff was looking at. She stated that is an independent process that could continue as a subcommittee through the streetscape group or another mechanism to handle that issue. She reminded the PAB that 8<sup>th</sup> Street is a State roadway and the City has to work with FDOT. There was some discussion about 8<sup>th</sup> Street and traffic calming measures.

Member Ross presented a handout with regard to the Port and commented it shows the tonnage and a seaport mission plan questionnaire. He stated for cargo terminals they were projecting almost \$2.5

million dollars and for other structures \$11 million dollars, which doesn't coincide with the master plan that was produced. He pointed out the Port was projecting a 10 fold increase in their imports and a doubling of their exports over the next five years. He referred to the Minutes of the Ocean Highway Port Authority and stated it says the Port thinks they have submitted their master plan to the City. He provided further clarification of the information presented to the board including the seaport has to submit a 5, 10, and 20 year horizon plan to the Seaport Committee and they also have to do a 5 year plan that basically has a number elements that are outlined in Section K.

City Attorney Bach reported she spoke to Mr. Clyde Davis (attorney for the Port Authority) and it was their understanding what they submitted was brought to the PAB. She stated City staff has been operating as if the Port Authority withdrew what they submitted. Ms. Gibson explained the City Manager signed a formal application bringing this forward on their behalf. City Attorney Bach stated that was never formally withdrawn. She noted the plan the Port brought forward was rejected by the PAB, because the wetland issue was inconsistent with the City's Comprehensive Plan. After was some discussion about this, the board had some discussion about policies that needed to be reviewed. It was noted that City staff would work together on this.

**5. Staff Report** – This was deferred until after comments from the public.

**6. Comments by the public** – Mr. Tray Palmer, 2439 Bonnie Oaks Drive, briefly spoke regarding restrictive zoning regulation limiting tradesman and their business, Chapter 2, Section 2. He stated he submitted an application with some restrictions that he thought would help, and requested feedback from the board. Member Bennett commented it sounded like Mr. Palmer wanted an office and an office is a permitted use in C-1. He explained if Mr. Palmer wanted to open a retail business selling electrical parts then retail is also a permitted use in C-1. He stated his question to Mr. Palmer was he didn't understand why he couldn't open his office. Ms. Gibson explained Mr. Palmer's business as an electrical contractor is disallowed in that particular zoning category. Member Bennett commented in some sense Mr. Palmer could be considered a professional office, because he has to have a license. He questioned the difference between a real estate license, an appraisal license, and a contractor's license for electrical. Ms. Gibson replied is it defined separately within the code, and clarified there is a different defined use tied to trade within the code. There was further discussion about the City having a list of defined categories of what uses are allowable and where.

City Attorney Bach inquired if the consensus was to have this as a discussion. She pointed out it has been ten years since the Land Development Code (LDC) was adopted. She commented she believed the City didn't allow trades in C-1 not just because of storage, but in some cases the vans or trucks that they use with all their commercial stuff is not acceptable in C-1. She stated it is a principal place of business that Coastal Current has registered with the State, which for some businesses that is where workers come in the morning and there are commercial vehicles that might not be appropriate. She explained she believed that was why trades were limited in C-1, because often C-1 abuts residential. There was some discussion about this, and it was noted that Mr. Palmer had suggested to take all the restrictions from C-2 and apply some more for C-1 including limiting the number of commercial vehicles.

Chair Lane commented the City is changing and suggested it was time to look at things. Ms. Gibson stated whether or not C-1 is an appropriate use for that particular area there is some direction within the Comprehensive Plan to look at commercial zoning districts going to more of a mixed-use, but that doesn't allow for trades either. She commented with the supplemental standards calming it in a way and tempering that type of use she thought it could be appropriate within the current C-1 category. Chair

Lane explained the City has to be able to give small businesses some help with this sort of thing. Ms. Gibson reported she has been working with Mr. Palmer to help create supplemental standards and also work through the process of bringing it before the board. There was further discussion about this and the proposed 8<sup>th</sup> Street zoning district. It was noted there was an application in for the proposed changes, but it has not gone through the sufficiency review process yet.

Chair Lane referred to 2.01.10 of the LDC community commercial and read “the C-1 district is intended for the development of land uses to accommodate commercial businesses and offices providing goods and services to more than a few neighborhoods.....” The board reviewed the table of uses. City Attorney Bach explained that Ms. Gibson and she would review the application. She noted the board was open to hearing Mr. Palmer’s suggestions.

**Staff Report** - Ms. Gibson referred to 8<sup>th</sup> Street and reported there were upcoming events that were outlined in her emails to the board. She stated there was an outreach opportunity with the Farmers Market at their front booth on January 23<sup>rd</sup>. She explained there would be a postcard mail out for property owners that are tied to the zoning changes and the 300 feet surrounding those changes. She pointed out there would be mailed notice of the different opportunities to provide us with input and where you can find information about 8<sup>th</sup> Street efforts. She commented she needed help with renderings. Chair Lane inquired about Mr. Eric Bartelt. Ms. Gibson replied he has street style plans, but she needed artistic renderings of what 8<sup>th</sup> Street could look like. It was noted that Ms. Dion had done some work for the City in the past.

7. **Adjournment** - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 6:13 pm.

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Secretary

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Judith Lane, Chair

1. **Call to Order** - The meeting was called to order at 5:00 pm.

2. **Roll Call/Determination of Quorum**

**Board Members Present**

Judith Lane, Chair

Jon Lasserre

Chip Ross

Jamie Morrill (alternate)

Mark Bennett

Charles Rogers

Chris Occhuizzo

Eric Lawrence (alternate)

**Board Members Absent**

David Beal

**Others Present**

Adrienne Burke, Community Development Department Director

Kelly Gibson, City Planner

Tammi Bach, City Attorney

Karen Austin, Recording Secretary

Chair Lane welcomed the City Manager and briefly spoke with regard to civility during the meetings.

2. **Approval of Meeting Minutes**

2.1 **Review and Approve November 12, 2015 Regular Meeting Minutes** – Member Ross corrected the Minutes to reflect that he was not present. **A motion was made by Member Morrill, seconded by Member Bennett, to approve the Minutes as corrected. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

3. **Old Business**

3.1 **Discuss Definitions Subcommittee Progress** - Review proposed LDC Definitions

Ms. Gibson provided a brief update including the committee had met several times over the past few months. She stated the definitions were limited to eight, but they had to be divided up a little further to clarify the types of manufacturing that might exist throughout the City. She pointed out the definitions were reviewed by the subcommittee as well as by members from both mill sites and the large industrial property owner by the Airport. She explained she wanted to discuss these definitions as a board prior to formally bringing them before the board. She commented that Chair Lane reached out earlier today to suggest including airport related manufacturing and assembly. She pointed out she drafted a definition for the board to review, but otherwise the definitions were in keeping with what the group discussed in September.

Member Occhuizzo referred to the green-colored section and questioned what it means if it is included in the definition. Ms. Gibson stated there was not a clear decision on whether to move forward with the language that is highlighted in green with the heavy manufacturing and assembly definition. She explained if the language was included it would prevent heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastic manufacturing, or other generating potentially harmful environmental or nuisance impacts. After some discussion about this, Member Ross expressed his opinion this language makes it clearer. He explained the Comprehensive Plan says what is prohibited in manufacturing and/or heavy assembly. He pointed out this was taking the Comprehensive Plan language and putting it in the definitions so you don't have to look in two places.

Mr. Colin Campbell, 600 North 8<sup>th</sup> Street, WestRock, commented they were simply cutting and pasting from the one to add to the other. Member Occhuzzo questioned if Mr. Campbell agreed with this language since it already exists in the Land Development Code (LDC). Mr. Campbell explained at the mill they try to reduce that as much as possible, because later on when you make a change you have to look for where you duplicated it. He suggested keeping it out to keep it simple, but he didn't have a strong objection to having it in the definitions. **A motion was made by Member Morrill, seconded by Member Ross, that since language already exists in the Land Development Code that we simply extract it and insert it in the existing definitions for manufacturing and heavy assembly. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Member Lasserre referred to bulk storage yard solids and liquids and corrected the spelling of principal. He also offered a change of wording related to special flood hazard area. He commented the definition of health club is broad, and he didn't see the need for that definition. Ms. Gibson explained there were a couple of instances where new clubs/gyms opened recently in the City and staff didn't have a definition to categorize it. There was some discussion about the proposed definition.

Member Ross expressed his concern with bulk storage yard, because it allows for the storage of things like coal. Chair Lane pointed out that bulk storage at the Airport could be a fuel farm. Member Morrill briefly related an example of the mill using a small portion of their property for storage of coal for its own use as part of their business. Member Ross commented that a coal transfer station would be a principal use as would a bulk storage yard. He stated the mills wood chip piles that are part of their production facility so that is not a principal use, but rather an ancillary use. There was some discussion about the proposed definitions of bulk storage yard solids and liquids.

Member Ross referred to the table of land uses for bulk storage yard solids in IW and expressed his opinion that shouldn't be there. He stated he had the same concern about bulk storage yards and liquid in IW, and suggested that be removed. **A motion was made by Member Ross, seconded by Member Morrill, to remove bulk storage yards solids and liquids from IW. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

There was a brief discussion about the mills being zoned I-1 and that the board was voting on language they want to see in the Ordinance that would come back before the board prior to being sent forward to the City Commission for two readings.

Chair Lane referred to use of the Airport, and commented reading this it was more focused on downtown. She reminded the board that there is industrial around the Airport, and pointed out that Mr. Sam Lane was here to represent the interests of the Airport Advisory Commission (AAC). She pointed out the AAC was concluding their guiding principles, and suggested asking the AAC what they specifically need in the definitions. She explained she discussed with Ms. Gibson that the board may want to take up a separate zoning district for the Airport, because it is unique. She stated I-A is the property that surrounds the Airport. Ms. Gibson pointed out the Airport is zoned I-1. There was a brief discussion about the Airport.

Mr. Sam Lane, 2408 Los Robles, Vice-Chair AAC, explained the Airport recently completed an update to the Airport Master Plan. He stated the Airport is on land that was granted to the City by the Federal Aviation Administration (FAA) as long as it stays as an Airport and its principal use is in support of aviation. He pointed out there are eight parcels of land surrounding the runways on Airport land, which have been evaluated for usefulness for development of aviation related or non-aviation related activities. He stated the Airport is an enterprise fund, which means money derived at the Airport stays in the Airport

account. He explained the Airport was actively looking for people to develop both aviation related and non-aviation related activities at the Airport, because that generates revenue to support maintaining the Airport. He commented the AAC's concern is to make sure a definition doesn't restrict activities at the Airport that would not otherwise be restricted. There was a review of the proposed definitions and if there would be an impact on the Airport. Mr. Lane suggested having the AAC review the next draft of the definitions. There were no objections to sending the draft to the AAC for their review.

Member Bennett commented the Boca Raton Airport has developed with a multitude of retail development, and questioned if that was what the City's Airport was looking to do. Mr. Lane replied not specifically, because the Airport doesn't have that kind of available land. He pointed out the Airport has land that was set aside for recreation or left as is along the marsh. Ms. Gibson explained staff can revisit with the AAC additional changes to the LDC or definitions that might be needed to clarify uses that could exist there in the future. *The consensus of the board was to not include anything specific for the Airport right now, but to make sure that other definitions capture what could be done at the Airport.*

There was a review and discussion about the light manufacturing definition. **A motion was made by Member Ross, seconded Member Lasserre, to add the words "manufacturing and assembly" to the definition of light manufacturing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Member Lasserre inquired if the Economic Development Board were included at the meetings. Ms. Gibson replied they were not included on emails, and they were not involved in the definitions. Chair Lane pointed out they were noticed like everyone else was. There was a brief discussion about reaching out to the Nassau County Economic Development Board.

Chair Lane referred to warehouse and inquired if this was trying to address a warehouse that is the entire parcel. She commented there are a lot of small warehouses on the island. Ms. Gibson replied yes. Chair Lane referred to research and development facility and pointed out they usually don't do controlled production. She stated they tend to do prototyping, and apply for patents. There was some discussion about how to modify the proposed definition for research and development facility. It was suggested to remove commodities for sale. **A motion was made by Member Ross, seconded by Lasserre, to take out control production and commodities for sale. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Chair Lane requested staff to review the definitions to correct spelling and grammatical errors.

**3.2 Discuss 8th Street Subcommittee Progress** - For more information and a full history of meetings please visit: [www.fbfl.us/LDCED](http://www.fbfl.us/LDCED).

Ms. Gibson provided an overview of the progress and explained they were at a point to talk about the proposed Comprehensive Plan changes, a proposed Future Land Use Map (FLUM) category, LDC provisions tied a new zoning category, design standards for the proposed zoning, and the allowable uses within the zoning category. She stated Ms. Burke has prepared a small area plan to capture the history and background to this point. She pointed out she wanted feedback from the board on language, and also to talk about moving forward with public outreach. She stated that staff's goal was to do public outreach starting in January, and back to the PAB for formal consideration by April so it can go to the City Commission in May and to the State in June. She commented this involves a Comprehensive Plan change and involves large zoning and land use changes.

Member Bennett stated he wanted to ensure language was included that limited the proposed land use and zoning to this specific area so that it couldn't be used elsewhere in the City.

Chair Lane referred to the design criteria and asked about fencing. Member Bennett commented you have to keep in mind what is there now is not what they envision with these changes. Chair Lane pointed out one of the businesses put in a nice blockage fence that hides what is behind the fence. She questioned how to account for something like that. It was noted there were the issues of durability and aesthetics. There was a brief discussion about how the committee arrived at their fencing recommendations.

Member Bennett pointed out the board needed to keep in mind this was "Centre Street-like" with the vision of having a walkable area that would work in conjunction with what is already here. He commented Mr. Eric Bartelt did a lot of designs and things that could visually improve the street.

Member Lasserre commented he understood splitting the block from Fir Street north to Ash Street. He questioned why split the blocks from Beech Street down to Lime on the 9<sup>th</sup> Street side. The board reviewed the map and had some discussion about why the blocks were split as they were. Ms. Gibson explained they were including what you would allow for this 8<sup>th</sup> Street area onto the existing mixed use. Member Bennett commented there is mixed use and some commercial uses already on the east side of 9<sup>th</sup> Street, and there was concern about moving over to 10<sup>th</sup> Street due to residential development on the west side of 10<sup>th</sup> Street. He stated the way it was set up was like a buffer with the mixed use and the commercial that is already there. Ms. Gibson noted the buffering requirements needed to be looked at. There was some discussion about this area and that some R-2 zoned properties were proposed to move to mixed use.

Ms. Gibson mentioned that there are properties in the historic district that are currently C-2 and were being proposed to be moved to C-3. She pointed out on the map the location of these properties. Chair Lane expressed her concern with how this would be rolled out to the public. She explained she worked with Ms. Burke and Ms. Gibson on a communication plan several years ago. She commented they looked at the problems with communication, and for the most part the workshops were held downtown. She expressed her opinion that this needs to move out to the people, and recommended having several town hall meetings in different parts of the City. She also suggested having a media campaign about this. Member Rogers inquired if property owners for these properties have been notified of this. Member Bennett stated some residents have come to various meetings. He commented the area of concern was the area between Ash and Fir on the west side of the road. Ms. Gibson reminded the board a survey had been sent out in 2013 to all 8<sup>th</sup> Street business owners and property owners, and a general survey was provided online. She stated property owners would be noticed again of these efforts as well as being given different opportunities to provide input. Member Morrill pointed out that community members may have great ideas not discussed yet, but also when talking about it we need to make an effort to be positive and talk about what we want to see. There was some discussion about the importance of reaching out to all different segments of the community and getting them engaged in the process.

Ms. Gibson reviewed the draft proposal for the outreach plan, which included a survey and a handout of responses to frequently asked questions. She stated there should be consideration of a walking tour with the property owners, business owners, all the surrounding property owners, City Commissioners, board members, and those interested in seeing how 8<sup>th</sup> Street looks now with the mindset of how the proposed changes will affect that area. Chair Lane inquired if the walking tour could be filmed so it could be shared at different meetings and locations. She commented anything visual really helps. Ms. Gibson explained the plan included a postcard invitation to the property owners and business owners where the zoning changes will occur. She stated a flyer can also be put in the utility bills. There was an extensive

discussion about the outreach plan and Chair Lane offered to work with staff on a communication strategy to reach the most number of people.

Member Ross suggested having a meeting in early January with everyone from the 8<sup>th</sup> Street group. It was noted that the documentation was available on the City's website, and requests were made to have the direct link available on the City's homepage. There was some discussion of having a meeting the week of January 4<sup>th</sup> with the 8<sup>th</sup> Street group.

**4. Board Business**

Member Ross questioned what happened to the Port Master Plan because it went back to them and they approved another plan. Chair Lane replied the City hasn't gotten it back. Member Ross would contact the City Attorney to look into this.

Member Ross noted the board needed to look at the Comprehensive Plan. He pointed out Policy 5.03.03 says hazardous materials shall not be stored within the floodplain, and the LDC shall be updated to reflect that policy. He inquired how to move forward to fix that. Ms. Gibson stated some of the changes in the definition are implementing that Policy to state that the City was not allowing the storage of hazardous materials within floodplains. She commented it could be included in the LDC updates in Chapter 3, which was being worked on this year. Member Ross inquired if there was a list of things that needed to be done. Ms. Gibson replied yes she has a list of plans, studies, and things the Comprehensive Plan directs to be done. Chair Lane requested this information be shared with the board by email.

Ms. Burke pointed out the Planning staff established a set of goals for 2015/2016 and one is 8<sup>th</sup> Street and another is Chapter 3. She explained that staff was cognizant that there was a lot in the Comprehensive Plan that has to be done. She commented the work would be limited by staff time and how much could be handled at once.

Chair Lane noted that board elections would be held at the next meeting, January 13<sup>th</sup>.

**5. Staff Report** – Ms. Gibson wished everyone happy holidays.

**6. Comments by the public** – There were no comments from the public at this time.

**7. Adjournment** - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:09 pm.

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**Secretary**

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**Judith Lane, Chair**

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Ordinance 2016-04**  
Code Amendment – Vehicles for Hire Regulations

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve Ordinance 2016-04 at First Reading.**

SYNOPSIS: The proposed Ordinance makes several changes to the City's vehicles for hire regulations.

FISCAL IMPACT: None

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: See synopsis.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve Ordinance 2016-04 at First Reading. *DLM*

DEPARTMENT DIRECTOR	Submitted by: Tammi E. Bach, City Attorney	Date: 2/11/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: 2/11/16
CITY MANAGER	Approved Agenda Item for 02/18/16 <i>DLM</i>	Date: 2/11/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

ORDINANCE 2016-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, 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 DEFINING TYPES OF VEHICLES FOR HIRE; AMENDING SECTION 86-112 BY REMOVING AND AMENDING SIGN REQUIREMENTS; AMENDING SECTION 86-136 BY REQUIRING TAXICABS TO POST RATE SCHEDULES CONSPICUOUSLY IN VEHICLES; AMENDING SECTION 86-140 BY REMOVING THE REQUIREMENT FOR LEATHER, VINYL, OR SOME SIMILAR NONABSORBENT FABRIC UPHOLSTERY WHICH CAN BE EASILY CLEANED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY OF FERNANDINA BEACH HEREBY ORDAINS:

SECTION 1. It is hereby proposed that Section 86-91 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

**Sec. 86-91. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Highway* means any of the streets, boulevards, avenues, drives, or alleys of the city.

*Medallion* means the tangible symbol that a permit has been granted to operate the vehicle for hire to which it is physically attached.

*Permit* means the written authority granted by the city commission under this article to engage in the vehicle for hire business in the city.

*Vehicle For Hire* means any motor-driven vehicle for transportation of passengers for a fare, fee or other charge which operates in the corporate limits of the city, including but not necessarily limited to:

- i. *Digital Dispatch Service Vehicles* means an internet-based software application, website, platform, or interface that allows for the solicitation, arrangement, or provision of vehicle for hire services and the display of rates, calculation of fares, or acceptance of payment for vehicle for hire services;
- ii. *Pre-arranged Transportation Vehicles* means the transportation of passenger(s), whereby the operator of the vehicle knows the name(s) of the passenger(s) being picked up and/or the destination to which the passenger(s) are being transported;

and this knowledge is secured prior to the passenger(s) making contact with the driver of the vehicle;

- iii. Taxicabs or Taxi means a chauffeur-driven, metered, passenger vehicle engaged in transportation of persons not on regular schedules with the routes traveled or the destination determined by the passengers, and whose fare is based on the use of the vehicle without regard to the number of passengers carried;
- iv. Vehicle For Hire Business means an entity operating or providing one or more vehicles for hire through a digital dispatch system or by any other means, regardless of whether such business has employees or delivers its services through independent contractors, including a transportation network company;
- v. Vehicle For Hire Driver means a person who carries on the vocation of driving a vehicle for hire.

SECTION 2. It is hereby proposed that the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended by adding a section to be numbered 86-112 which section shall read as follows:

**Sec. 86-112. Advertising.**

- (a) No holder of a local business tax receipt and/or vehicle for hire permit to operate a vehicle for hire shall be permitted to advertise such business to the public under any other name or names than the specified name or names recited in the particular local business tax receipt and/or vehicle for hire permit under which such holder is authorized to engage in the business of the transportation of person(s) for compensation within the city.
- (b) The name of the company or firm operating a vehicle for hire shall be permanently displayed on the vehicle so that the name shall be plainly visible, with lettering at least two (2) inches in height, and made to be visible in the dark.

SECTION 3. It is hereby proposed that Section 86-136 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

**Sec. 86-136. Schedule of rates to be posted, filed with clerk.**

~~There shall be posted in every vehicle for which a permit is issued under this article, in full view of the passengers and in plain conspicuous letters, a schedule of rates, charges and fares, which schedule shall be binding upon the operator of the vehicle. Any collection of rates, fares or charges in excess of such schedule shall constitute a violation of this article.~~

(a) Rate schedules shall be posted in every taxicab vehicle for which a permit is issued under this article, in full view of the passengers and in plain conspicuous letters, a schedule of rates, charges and fares, which schedule shall be binding upon the operator of the vehicle. Any collection of rates, fares or charges in excess of such schedule shall constitute a violation of this article.

(b) All rate schedules required by this article shall be filed with the city clerk.

SECTION 4. It is hereby proposed that Section 86-140 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

**Sec. 86-140. - Required equipment; maintenance.**

- (a) Reserved.
- (b) All vehicles in service as vehicles for hire shall have the following equipment on each vehicle, and the equipment shall be maintained in good working condition:
- (1) Front and rear lights meeting state standards.
  - (2) Adequate brakes on all wheels.
  - (3) Tires of a quality of original equipment as specified by the manufacturer, or better.
  - (4) A dashboard light that will indicate when any of the vehicle's doors is not securely closed.
  - (5) Speedometer in good working order.
  - ~~(6) Leather, vinyl, or some similar nonabsorbent fabric Upholstery which can be easily cleaned and shall be free of tears and cuts.~~
  - (7) Adequate heater and air conditioner.
  - (8) Seatbelts for the driver and all passengers.
  - (9) An unexpired A, B, C type fire extinguisher (minimum size of 2.5 lbs.).
  - (10) All seats in a shuttle vehicle shall be factory installed only.
  - (11) Except for limousines, there shall be no shades, blinds or curtains between the rear seat or seats and the driver's seat, nor shall any shades, blinds or curtains shield the occupants or the for-hire driver from observation or obstruct the view through the rear window.
- (c) All vehicles for hire shall be maintained in a clean, well-painted manner, so as to provide a generally good appearance.
- (d) It shall be unlawful to operate any vehicle as a vehicle for hire which does not comply with the provisions of this section.

SECTION 5. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses, or phrases under this Ordinance shall not be affected thereby.

SECTION 6. That this Ordinance shall become effective immediately upon its final adoption.

PASSED AND ADOPTED, this \_\_\_\_\_ day of March, 2016.

ATTEST:

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
Caroline Best  
City Clerk

\_\_\_\_\_  
John A. Miller  
Commissioner – Mayor

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Tammi E. Bach  
City Attorney

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Ordinance 2015-36**  
Landscape and Tree Protection Updates: Chapter 1, Section 1.07.00,  
Chapter 4, Section 4.05.00, Chapter 11, Section 11.08.04

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ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

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REQUESTED ACTION: **Approve Ordinance 2015-36 at Second Reading.**

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SYNOPSIS: The City has maintained a tree ordinance since at least 1891 and passed its most recent version in 2006. The Code addresses both landscaping and tree requirements, which are treated separately. During the summer of 2014, City staff convened a working group comprised of a local arborist, an appointed Planning Advisory Board (PAB) member, a local tree service company, members of the Amelia Tree Conservancy, a neighborhood Home Owners Association board representative, and the City's Greenway Manager to review the current landscape and tree protection ordinance. The effort was initiated by staff as part of its 2014 efforts to implement the Comprehensive Plan goals into its Land Development Code and to address issues identified over the past eight (8) years in working with the Ordinance.

The 2030 Comprehensive Plan directs changes revolving around the use of drought tolerant and native landscaping, low impact development strategies, improving ground and surface water quality, and enhanced buffer requirements. The working group, along with staff, found that the existing Code is working fairly well and is achieving the community's desired goals for the retention of a healthy native canopy throughout the City. Therefore, the proposed revisions to the code are not vastly different from the current landscape and tree protection ordinance: the overall function of the Ordinance has not changed. Strategies to obtain enhanced landscape design and to provide clearer direction for protection of the City's native, healthy trees have been included in the proposed revisions. For more details on the review process, please visit [www.fbfl.us/treeupdates](http://www.fbfl.us/treeupdates).

Revisions were originally presented to the PAB for review in October, 2014. The Board directed staff to consider the impact of the proposed amendments on non-residential properties. Staff consulted with a local architect and engineer to determine such impacts and found that the 2014 proposed revisions would create a hardship for commercially zoned vacant properties. Therefore, staff proposes that the existing requirements remain in place and drafted a program to encourage retention of the healthiest and largest trees on site.

The proposed revisions were provided to the PAB at its May, 2015, meeting and consideration was tabled until the Board's September meeting. At the September PAB meeting, the Board felt that additional public comments should be obtained and delayed issuing a decision until its Regular Meeting held on October 14, 2015. At the October 14, 2015, meeting, the PAB issued a recommendation of approval, subject to an additional amendment regarding Section 4.05.02(D)(5) that was not addressed during the review process. Section 4.05.02(D)(5), which exempts the mill sites from compliance with landscape requirements and tree protection standards, was recommended to be stricken from the ordinance.

On December 15, 2015, the City Commission considered the Ordinance at its First Reading. Prior to the meeting, industrial property owners, including representatives of the mills, requested that the Commission consider alternative language instead of striking the exemption. The City Commission tabled action on the item until January 19, 2016, to provide staff with adequate time to fully analyze the requested language.

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



Staff shared concerns with providing an overall exemption from landscaping requirements for the I-1, I-A, and I-W zoning districts, as proposed by the affected property owners, given the wide range of uses that are permissible within those zoning categories.

At the First Reading on January 15, 2016, the City Commission took action to approve the ordinance with the existing exemption retained. The City Commission directed that the names be updated to reflect the current mill names, "Rayonier Advanced Materials and WestRock." Further, the City Commission directed staff and the PAB work with the mills and other industrial property owners to develop alternative language to more equitably handle the exemption. The PAB will discuss next steps for developing a solution or alternative to the exemption at its next regular meeting in February.

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**FISCAL IMPACT:** The proposed amendments increase the City's financial responsibility for Heritage Tree evaluation costs from fifty percent to 100% of reasonable costs for periodic evaluation by an ISA Certified Arborist to ensure health and wellness of the tree. Each such evaluation is approximately \$500 (currently four trees in the City are so designated as Heritage Trees).

- 
- 2015 STRATEGIC PRIORITIES:**
- |  |   |
|--|---|
| <input type="checkbox"/> Waterfront Funding (Priority 1)     | <input type="checkbox"/> Fire Department (Priority 1)                 |
| <input type="checkbox"/> 8 <sup>th</sup> Street (Priority 1) | <input type="checkbox"/> Department Goals (Priority 1)                |
| <input type="checkbox"/> Trolley System (Priority 2)         | <input type="checkbox"/> Beach Renourishment (Priority 2)             |
| <input type="checkbox"/> 4 Year Terms (Priority 2)           | <input type="checkbox"/> 8 <sup>th</sup> Street Entrance (Priority 2) |
| <input type="checkbox"/> Waterfront Park- Lot B (Priority 3) |   |

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**CITY ATTORNEY COMMENTS:** No additional comments.

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**CITY MANAGER RECOMMENDATION(S):** I recommend that the City Commission accept the Second Reading of, thereby enacting, proposed Ordinance 2015-36. *DM*

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DEPARTMENT DIRECTOR	Submitted by: Adrienne Burke, CDD Director	Date: 1/28/16
CONTROLLER	Approved as to Budget Compliance <i>DTK</i>	Date: 2/10/16
CITY ATTORNEY	Approved as to Form and Legality <i>TEB</i>	Date: 2/11/16
CITY MANAGER	Approved Agenda Item for 02/16/2016 <i>DM</i>	Date: 1/28/16

- 
- COMMISSION ACTION:**
- |   |  |
|---|--|
| <input type="checkbox"/> Approved As Recommended    | <input type="checkbox"/> Disapproved               |
| <input type="checkbox"/> Approved With Modification | <input type="checkbox"/> Postponed to Time Certain |
| <input type="checkbox"/> Other                      | <input type="checkbox"/> Tabled                    |
-

ORDINANCE 2015-36

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING THE LAND DEVELOPMENT CODE SPECIFIC TO TREE PROTECTION AND LANDSCAPE REQUIREMENTS AS CONTAINED IN CHAPTER 1, SECTION 1.07.00, CHAPTER 4, SECTION 4.05.00, AND CHAPTER 11.04.08; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted a unified Land Development Code 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, over the past eight (8) years of implementing the current code Staff has identified minor changes needed to more effectively implement the tree protection and landscape section of the Land Development Code; and

WHEREAS, Staff assembled a working group to support efforts to revised the tree and landscape sections of the code which comprised of a local arborist, an appointed Planning Advisory Board member, a local tree service company, members of the Amelia Tree Conservancy, a neighborhood HOA board representative, and the City's Greenway Manager; and

WHEREAS, the working group provided research, review, and comments on the proposed revisions in 2014; and

WHEREAS, the Planning Advisory Board initially reviewed the proposed changes in October 2014 and requested that staff consult with a local engineer and architect on how the revisions may impact non-residential development; and

WHEREAS, following consultation with a local engineer and architect, staff revised its original proposal to revert back to existing requirement for minimum landscaped area and added a credit program for developing non-residential properties to encourage onsite retention of the healthies and largest native trees; and

WHEREAS, the proposed amendments will specifically modify the following chapters and sections of the Land Development Code including Chapter 1, Section 1.07.00 (Definitions), Chapter 4, Section 4.05.00 (Landscape Requirements and Tree Protection) and Chapter 11, Section 11.08.04 (Specific Penalties for Violation of Tree Permit Requirements); and

WHEREAS, the Planning Advisory Board has reviewed the suggested amendments in advertised public meetings held on, October 8, 2014, May 13, 2015, September 9, 2015, and October 14, 2015 and has issued a recommendation of approval subject to identified modifications proposed at the meeting; and

WHEREAS, notice of public hearing on such amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on September 24, 2014, April 29, 2015, August, 26, 2015, and September 30, 2015.

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

SECTION 1. The City Commission hereby approves and adopts modifications to the Land Development Code of the City of Fernandina Beach, attached hereto as Exhibit "A".

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

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

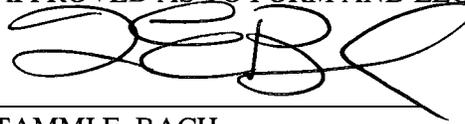
ADOPTED this 16<sup>th</sup> day of February, 2016.

CITY OF FERNANDINA BEACH

\_\_\_\_\_  
John A. Miller  
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
CAROLINE BEST  
City Clerk

\_\_\_\_\_  
TAMMI E. BACH  
City Attorney

**ORDINANCE 2015-36**  
**EXHIBIT "A"**

**CHAPTER 1 DEFINITIONS – ADDED OR MODIFIED IN SECTION 1.07.00**

Protected Tree means any existing, healthy tree having a five (5) inch DBH, or greater and not identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list (Category I or II) and any tree that was planted or preserved in compliance with an approved development order or to mitigate removal of a protected tree. on the list of prohibit or invasive trees set for the in Table 4.05.03(A)(3).

Shade Tree means any self-supporting woody plant of a species that is generally well-shaped, well-branched, and well-foliated which normally grows to an overall minimum height of thirty-five (35) feet with a minimum average mature crown spread of thirty (30) thirty feet, and which is commonly accepted by the local horticultural and arboricultural professionals as a species which can be expected to survive for at least fifteen (15) years in a healthy and vigorous growing condition over a wide range of environmental conditions.

Tree means any self-supporting woody plant having at least one well-defined stem and a minimum of two and a half (2.5) in DBH, and which normally grows to a minimum height of 25 feet in an urban area.

Arborist means a person who holds a current certification as an arborist by International Society of Arboriculture (ISA).

“Florida-Friendly Landscaping” or “Xeriscape” means quality landscapes those conserves water and protects the environment and are adaptable to local conditions and which are drought tolerant. The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance. (Ref. §373.185 F.S.)

“Fertilizer” means any substance or mixture of substances, except pesticide/fertilizer mixtures such as “weed and feed” products, that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil. [Guidance: Regulation of pest control businesses and applicators, and of pesticide use, is preempted to the Florida Department of Agriculture and Consumer Services (FDACS) by Chapters 482.242, and 487.051 (2), F.S. and suspected pesticide misuse should be reported to FDACS. Weed and feed products are registered pesticides. The Limited Commercial Landscape Maintenance Certification Program does not allow landscape maintenance workers to make any kind of pesticide applications (including weed control and/or weed and feed products) to any turf areas. Per 482.165(3) F.S., a civil penalty for unlicensed application of pesticides, including weed and feed products, may not be less than \$500 or more than \$5,000 for each offense.]

Hydrozone means a distinct grouping of plants with similar water needs and climatic requirements.

Landscape means any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

Irrigation System means constructed watering systems designed to transport and distribute water to plants.

Irrigated landscape area means all outdoor areas that require a permanent irrigation system.

Microirrigation (low volume) means the application of small quantities of water directly on or below the soil surface, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery pipes (laterals). Microirrigation encompasses a number of methods or concepts including drip, subsurface, bubbler, and spray irrigation, previously referred to as trickle irrigation, low volume, or low flow irrigation.

Landscape Design means consultation for and preparation of planting plans drawn for compensation, including specifications and installation details for plant materials, soil amendments, mulches, edging, gravel, and other similar materials. Such plans may include only recommendations for the conceptual placement of tangible objects for landscape design projects. Construction documents, details, and specifications for placement of tangible objects and irrigation systems shall be designed or approved by licensed professionals as required by law.

Mulch means Non-living, organic or synthetic materials customarily used in landscape design to retard erosion and retain moisture

Native plant material means any plant material indigenous to northeast Florida or the City of Fernandina Beach.

Pervious Paving Materials means porous asphaltic, concrete or other surface (pavers or grass pave) and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.

Plant Bed means a grouping of trees, shrubs, ground covers, perennials or annuals growing together in a defined area devoid of turfgrass, normally using mulch around the plants.

Plant material means any ground covers, shrubs, turf or vines which are commercially propagated or cultivated for the nursery or landscaping industry.

Runoff means the water that results from and occurs following a rain event, or following an irrigation event, because the water is not absorbed by the soil or landscape and flows from the area.

Shrub means a multi-stemmed plant with a spread and height characteristic of its species and with a minimum of two (2) feet when planted.

Trimming (or Pruning) means to selectively remove branches without irreversibly altering the natural shape or form of a tree and without irreversibly damaging or destroying the tree.

Tree Hazard means any potential tree failure due to a structural defect that may result in property damage or personal injury.

## 4.05.01 Generally

- A. It is the intent of the City to provide ~~those~~ standards and regulations ~~that will~~ which: protect and preserve native tree species, ~~protect and preserve~~ and the natural landscape; foster and encourage maintenance of natural vegetation; ~~and~~ minimize loss of trees to development; reduce disturbance of native soil, improve ground and surface water quality; and promote energy and water conservation through use of native and Florida-Friendly landscaping principles.
- B. The intent of Section 4.05.00 is to provide minimum standards for landscaping, buffers, and tree protection within the City. These standards are provided to meet the following specific purposes:
1. Improving the appearance of the City;
  2. Providing shade for the ground surfaces and reducing heat island effects;
  3. Buffering and protection from wind and storm damage;
  4. Buffering adjacent potentially incompatible land uses;
  5. Screening vehicular movement from pedestrian and public view;
  6. Providing for the protection and preservation of trees and native vegetation;
  7. Ensuring the local stock of native trees and vegetation is replenished;
  8. Improving ground and surface water quality through reduced run-off and decreased use of fertilizers and pesticides; and
  9. Encouraging Florida-Friendly landscaping principles into landscape design.

## 4.05.02 Applicability

- A. The types of development listed below shall provide a landscaped buffer between uses, provide landscaping for parking lots, submit a tree survey prepared by a licensed Florida surveyor or a tree inventory prepared by a certified arborist with an application for site plan approval, obtain a tree permit prior to receipt of a building permit, and submit a landscape plan with any application for a development order for the situations listed below. The required landscape plan shall demonstrate compliance with the standards of Section 4.05.00.
1. All new construction;
  2. All development of regional impact; ~~and~~
  3. Any change of use ~~that~~ which results in any increase in the required off-street parking, as determined by the standards in Section 7.01.04;
  4. All commercial redevelopment which results in an increased building footprint, reconfiguration of existing parking, parking lot expansions, or development of outparcels within an existing shopping center.
- B. Clearing of any site, including root-rake clearing, shall be subject to the requirements for tree protection, submittal of a tree survey or a tree inventory prepared by a certified arborist, and obtaining a tree removal permit.
- C. An application for a building permit for a single-family or two-family dwelling proposed on an existing platted lot shall include a tree survey or a tree inventory prepared by a certified arborist. The tree survey or a tree inventory prepared by a certified arborist shall comply with the requirements of Section 4.05.04 regarding landscaping, but shall not be required to provide a buffer or landscaping for a parking area.
- D. The following situations are exempt from the requirements of Section 4.05.00:
1. Any interior construction, renovation, or remodeling, ~~provided that such interior construction, renovation, or remodeling shall~~ which does not increase the footprint of the building.
  2. Licensed plant or tree nurseries or botanical gardens with respect to those plants and trees ~~that are planted and~~ grown for sale to the general public in the ordinary course of the licensed business or for public purposes.
  3. The removal of underbrush and removal of trees which are less than four (4) inches Diameter at Breast Height (DBH) ~~or less~~.

4. The removal of ~~an prohibited~~ invasive or prohibited trees listed identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list in Table 4.05.03(A)(3).
5. Property owned by Rayonier Advanced Materials and Smurfit Stone WestRock in the I-1 zoning district is exempt from the requirements of Section 4.05.00, provided that the new construction, renovation, alteration or remodeling occurs more than 75 feet from an adjoining non-complementary land use.

4.05.03 Landscape Materials Standards

A. Plant materials

1. Trees, Shrubs, and groundcovers shall be selected by using the Florida-friendly Plant Database.

1. ~~Trees and shrubs shall be selected from the species listed in Table 4.05.03(A)(1).~~ In addition to the trees listed in table 4.05.03(A)(1), the following species of palms are permissible: needle palm and sabal /cabbage palm.

**Table 4.05.03(A)(1). Permissible Trees and Shrubs**

<b>Canopy Trees</b>	<b>Understory Trees</b>	<b>Shrubs</b>
<i>(Typical mature height is 40 feet or more)</i>	<i>(Typical mature height is less than 40 feet)</i>	
Bald cypress	American holly	American beautybush (beautyberry)
Black walnut	Chaste tree	Bluestem palmetto
Blue beech (hornbeam, ironwood, musclewood, broomwood)	Chickasaw plum	Cherry laurel
Chinese elm	Grape myrtle	Fetterbrush
Dawn redwood	Dahoon holly	Florida privet
Deodora cedar	Devil's walking stick	Gallberry
Eastern cottonwood	Devilwood (wild olive)	Juniper
Florida basswood (linden, Carolina basswood, Carolina linden, Florida linden)	East Palatka holly	Schillings holly (yaupun holly)
Florida elm	Flowering dogwood	Southern wax myrtle
Florida maple	Flowering pear	Star anise (anise, yellow anise)
Ginkgo	Fringe tree	Strawberry bush
Green ash	Goldenrain tree	Sweetshrub
Hickory	Hop hornbeam	
Live oak	Japanese maple	
Loblolly bay	Jerusalem thorn	
Longleaf pine	Leyland cypress	
Maple	Loquat	
Oak	Palm (Pindo, Chinese fan, Washington, cabbage, Canary Island Date)	
Pecan	Myrtle oak	
Pignut hickory	Redbay	
Red maple	Redbud (Judas tree)	
River birch (black birch)	Shining sumac (winged sumac)	

Canopy Trees	Understory Trees	Shrubs
Shumard oak	Red cedar	
Southern magnolia	Silverbells	
Southern red cedar	Southern red cedar	
Spruce pine	Southern wax myrtle	
Sugarberry (hackberry)	Tough buckhorn	
Swamp bay	Walter's viburnum	
Sweetbay magnolia		
Sweetgum		
Sycamore		
Tulip poplar (yellow poplar, tulip magnolia, whitewood, tulip tree)		
Water oak		
Weeping Willow		
Winged elm		
Zelkona		

1. Ground cover and vines shall be selected from the species listed in Table 4.05.03(A) (2).

**Table 4.05.03(A) (2). Permissible Ground Cover and Vines**

Ground Cover	Coastal Dune Area Ground Cover	Vines
Asiatic jasmine	Fiddle leaf morning glory (beach morning glory)	Carolina yellow Jessamine
Beach sunflower (cucumber-leaved sunflower)	Partridge pea	Coral honeysuckle
Blanket flower	Sea oats	Trumpet creeper (trumpet vine)
Blue eyed grass	Sea purslane	Virginia creeper
Coontie	Seashore bluestern (seaside bluestem)	
Crinum lily	Seashore dropseed	
Eastern coral bean	Seashore paspalum (knotgrass)	
Gopher apple (ground oak)	Seashore saltgrass	
Lantana species	Silverleaf croton (beach croton)	
Liriope spp	Stilleaf eustachys (pinewoods finger grass)	
Partridgeberry	Water pennywort	
Purple coneflower		
Rain lily (zephyr lily, fairy lily)		
Saltmeadow cordgrass		
Sea oats		
Sea Oxeye daisy		
Seashore elder (beach elder)		

Ground Cover	Coastal Dune Area Ground Cover	Vines
Stokes aster		

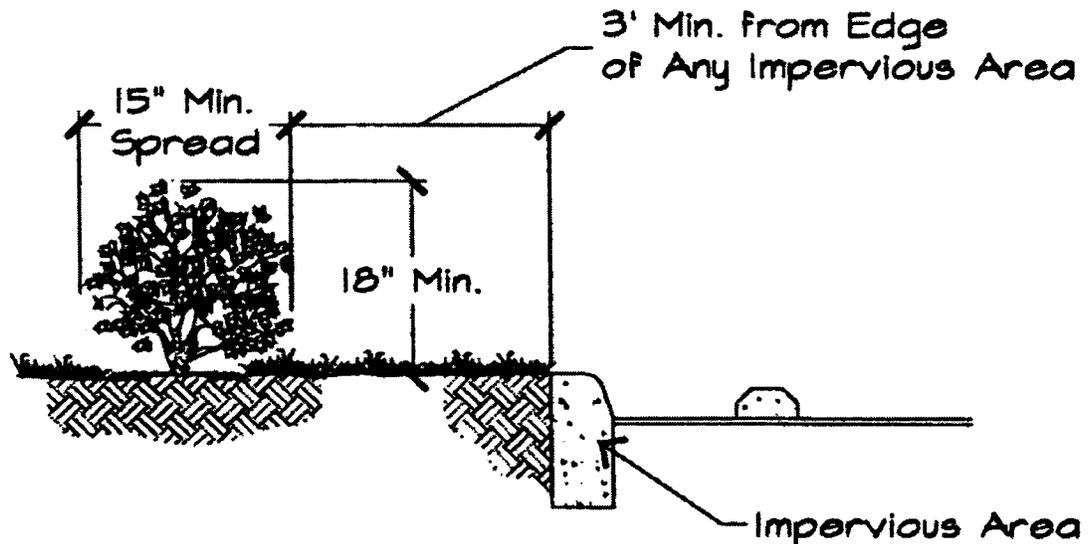
3. ~~Plants listed in Table 4.05.03(A) (3) are prohibited or invasive. Plants identified as “prohibited” or “noxious weeds” species on the most recent Florida Exotic Pest Plant Council Invasive Plant list shall be removed as part of the site development process. Plants that are identified as “invasive” may be retained on a development site, but shall not count toward meeting landscaping and buffering requirements.~~

**Table 4.05.03(A)(3). Prohibited and Invasive Species**

<b>Invasive Species</b> (may be retained but shall not count toward meeting minimum standards for trees in landscaped areas and buffers)	<b>Prohibited Species</b> (shall be removed during the site development process)
Arrow bamboo	Australian pine
Camphor tree	Brazilian pepper
Chinaberry	Chinese tallow (popcorn tree)
Chinese privet (hedge privet)	Cogon grass
Chinese wisteria	Eucalyptus tree
Citrus	Kudzu
Ear tree	Maleleuca (punk tree)
Henon bamboo (giant gray bamboo)	
Japanese paper mulberry	
Palm leaf bamboo (broadleaf bamboo)	
Silk oak	
Woman’s tongue	

B. Minimum specifications for plant materials

1. All plants used as part of any landscape plan shall be healthy, well proportioned, disease-free, pest-free, and hardy for the North Florida Region. Plant materials shall meet the standards for Florida No. 1 or better, as set out in *Grades and Standards for Nursery Plants*, Department of Agriculture, State of Florida.
2. Shrubs shall be at least eighteen (18) inches in height and have a minimum spread of at least fifteen (15) inches at the time of installation. ~~3.~~ Shrubs shall be installed at least thirty-six (36) inches apart, measured on center and may not be placed closer than three feet from the edge of any impervious area. Example:

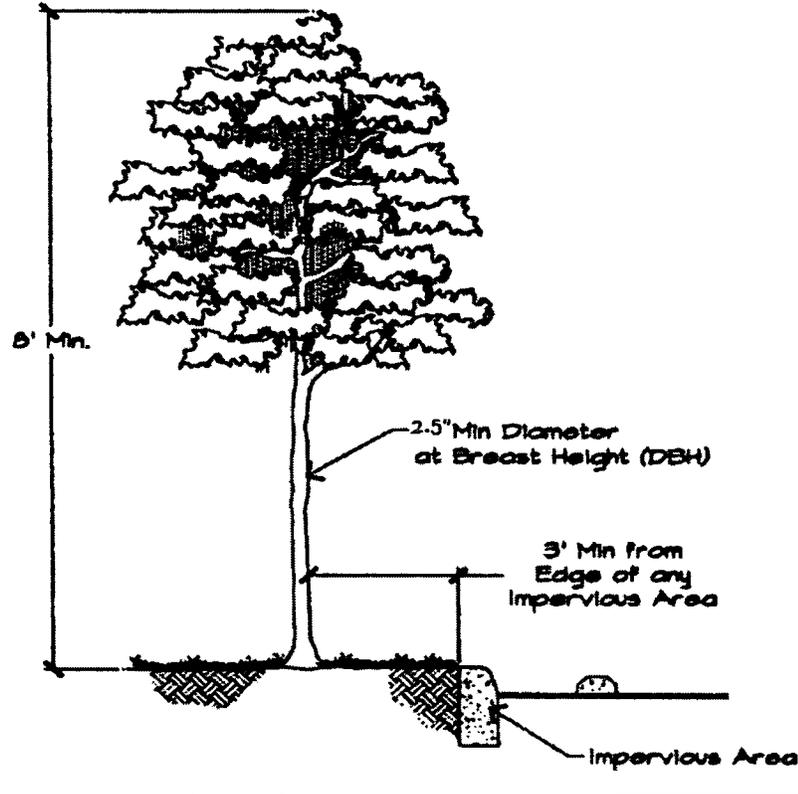


3. Hedges shall be planted ~~in double staggered rows~~ to create a continuous, unbroken, solid visual screen within one (1) year of planting allowing for full mature height and spread.
4. All landscaped areas shall be sodded or covered with ground cover. Grassed areas shall be consolidated and limited to those areas on the site which receive pedestrian traffic, provide for recreational use, provide cover for required drain fields or retention areas, or provide soil erosion control such as on slopes or in swales; and where grass is used as a design unifier or other similar practical use. Grassed areas shall be planted with warm season grass species normally grown on permanent lawns in Nassau County. Special care should be taken when selecting turf grasses for shaded sites. A soil sample should be tested specifically for pH to determine which grass species is most suitable for the site. Grassed areas may be sodded, plugged, sprigged, or seeded, ~~to provided that~~ full coverage shall be achieved within one (1) year after planting. Solid sod shall be used in swales or areas subject to erosion. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in bags with Florida Department of Agriculture tags attached indicating the quality control program.
5. Ground cover used in lieu of grss shall be planted so as to present a finished appearance and reasonably complete coverage within three (3) months of installation.
6. Vines shall be a minimum of thirty (30) inches in height at planting and may be used in conjunction with fences, screens, or walls.
7. Natural mulch shall be designed and installed in all planting areas to a depth of ~~two (2) to~~ three (3) inches. The type of mulch shall be specified on the landscape plan. Use of an artificial mulch shall not be permissible within required planting areas. Cypress mulch is strongly discouraged. Mulches are typically wood bark chips, wood grindings, pine straw, nut shells, small gravel, and shredded landscape clippings. Mulch is not required in identified annual beds. Mulch rings should extend to at least three (3) feet around freestanding trees and shrubs. All mulch should be renewed periodically. Mulches should

be kept six (6) inches away from any portion of a building or structure, or trunks of trees. Plastic sheeting and other impervious materials shall not be used under mulched areas.

8. Retention of native and drought tolerant species is preferred. At least fifty (50) percent of the required plants installed in landscaped buffers, landscaped parking areas, and for replacement shall be native species.
9. At least fifty (50) percent of the required trees installed in landscaped buffers, landscaped parking areas, and to meet tree planting requirements shall be ~~canopy~~ shade trees. Existing trees, other than invasive or prohibited species, which are ~~four (4)~~ five (5) inches DBH or larger, and shrubs may be counted toward meeting the requirements for landscaped buffers, landscaped parking areas, and tree retention.
10. Trees shall be a minimum of ~~four (4)~~ two and a half (2.5) inches DBH and no less than eight (8) feet tall at the time of installation. Trees shall not be planted closer than three (3) feet from the edge of any impervious area. Planted trees must be a species with an average mature spread of at least twenty (20) feet, or they must be grouped so as to create a crown spread of at least twenty (20) feet.

Example:



11. When palm trees are used to satisfy minimum landscape requirements, ~~two (2)~~ three (3) palm trees shall count as one (1) canopy shade tree. Palm trees must be a minimum of 8 feet tall at time of installation.
  12. Canopy-Shade trees shall not be installed under any overhead utility line, over any buried utilities, or within a utility easement.
  13. Where utilities conflict with proposed plantings, trees shall be selected from a list provided by the City. Where underground utilities conflict with proposed plantings, tree placement shall be a minimum of ten feet from the underground utility and a root barrier of two (2) feet deep shall be installed.
- C. Specific requirements for drought tolerant or xeriscape landscape materials
1. All development for which landscaping is required by Section 4.05.00 shall comply with the xeriscape requirements set forth in Table 4.05.03(C). The selected design options listed below and the accompanying points necessary to meet the following xeriscape requirements shall be clearly tabulated on the landscape plan.
  2. A minimum of fifty (50) points shall be accumulated by choosing from the following table of design options. As used in Table 4.05.03(C), "list" means the list of drought tolerant species set forth in the SJRWMD edition of the *Xeriscape Plant Guide*.

**Table 4.05.03(C). Design Options for Xeriscape Landscaping**

Design Feature	Standard	Points
<b>Irrigation</b>	Moisture sensing controller other than rain switch	5
	Landscape plan depicts low, moderate, and high water usage zones and grouping of plants into hydrozones	5
<b>Grass</b>	25% to 50% of the grass areas use drought tolerant species	5
	51% or more of the grass areas use drought tolerant species	10
	Less than <del>50%</del> 75% of the landscaped area contains sod	10
	Compacted mulched planting beds at least 3" deep are used in all planting areas except ground cover	10
<b>Shrubs</b>	25% to 50% of the required shrubs are drought tolerant species	5
	51% or more of the required shrubs are drought tolerant species	10
<b>Trees</b>	25% to 50% of the required trees are drought tolerant species	5
	51% or more of the required trees are drought tolerant species	10
	25% increase over the required number of <u>canopy shade</u> trees in vehicular use areas, provided <del>that</del> the planting area is large enough to ensure that the additional trees will thrive	5
	50% increase over the required number of <u>canopy shade</u> trees in vehicular use areas, provided <del>that</del> the planting area is large enough to ensure that the additional trees will thrive	10

**D. Installation**

1. All required landscaping installed pursuant to this section shall be installed according to accepted horticultural practice.
2. Trees may not need to be staked if appropriate canopy to root ratio is achieved. However, Trees shall be properly guyed, braced, and/or staked at the time of planting to ensure establishment of the tree and erect growth, as specified by the landscape designer or architect and compliant with the ISA staking and guying guidelines. Nail staking or other methods that cause cosmetic or biological damage to the tree are prohibited. Trees shall be re-staked within twenty-four (24) hours in the event of a failure in the staking or guying. Stakes shall be removed not later than twelve (12) months after installation. All areas where trees are to be planted shall be excavated to the width and depth of the rootball with the upper twelve (12) inches excavated to at least three (3) times the width of the rootball prior to being backfilled with the required topsoil mix.
3. CanopyShade trees shall be provided with at least ~~400~~ 250 square feet of planting area per tree.
4. Understory trees shall be provided with at least ~~200~~ 100 square feet of planting area.
5. Landscaped areas shall be protected from vehicular encroachment by car stops, curbs, or other appropriate means.
6. Trees shall be installed a minimum of ~~five (5)~~ three (3) feet from a paved area. A root barrier shall be required prior to installation of replacement trees.
7. Landscaped areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition. All irrigation systems shall be designed, installed, and maintained in such a manner as not to be a nuisance to adjacent properties and uses and to the general public. Irrigation systems shall include moisture sensors.
8. Irrigation systems shall be designed to "Standards and Specifications for Turf and Landscape Irrigation Systems", Fifth Edition, 2005, Florida Irrigation Society, Inc and as subsequently amended.

9. ~~8.~~Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.
10. ~~9.~~Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.

E. Maintenance requirements

1. All plantings shall be continually maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
2. Required plants that become diseased or die shall be replaced not later than three (3) months following the loss of the plant.
3. Replacement trees shall be maintained and warranted to survive for a period of one(1) year from installation. Trees which do not survive one (1) year must be replaced with new trees of the same size. Replacement trees shall comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of planting.
4. All trees may be pruned to maintain shape and promote their shade-giving qualities and to remove diseased or dying portions in areas where falling limbs could be a hazard. The property owner is responsible for the maintenance of all required landscaping in a healthy, thriving condition. Trees shall be pruned only as necessary to promote healthy growth or to avoid power lines. Trees shall not be severely pruned or "hatracked," "lionstailed," or "topped" in order to permanently maintain growth at a reduced height. Pruning shall comply with current ~~National Arborists' Society~~ International Society of Arboriculture (ISA) standards. No more than 20% of the crown shall be removed within a one (1)-year period.
5. Fertilizers: It shall be the goal of each landscape plan to select plant materials capable of thriving without regular fertilizer application, with exception of palms which need quarterly fertilizer to avoid nutrient deficiencies.
6. Pesticides: It shall be the goal of each landscape plan to establish an Integrated Pest Management approach and reduce or eliminate the need for pesticide application.

4.05.04 Requirements for Landscaping Plans

- A. A landscaping plan shall be provided to demonstrate compliance with the standards of this section and prepared in accordance with all applicable Florida Statutes. Landscaping plans shall utilize the principles for creating a Florida Friendly landscape, utilize native drought tolerant plant materials to conserve water, avoid invasive exotic species, reduce need for fertilizers, and establish integrated pest management to reduce or eliminate pesticide use. The use of plant material, site design techniques, and planting design techniques which enhance wildlife habitat benefits is strongly encouraged. The publication "Planting a Refuge for Wildlife," available from the Florida Fish and Wildlife Conservation Commission, may be used as a guide.
- B. The landscape plan shall include the following elements:
  1. The name, address, and telephone number of the applicant, as well as the registered landscape architect or landscape designer.
  2. A plan showing the location, size, description, and specifications of landscaping, grade of plantings, mulch specifications, landscape area protection structures (e.g., curbs and planters), number of interior parking spaces, ~~and~~ perimeter and interior landscape area plantings, existing trees and planting areas. The plan shall illustrate the proposed irrigation hydrozones. The plan shall also include property boundaries and dimensions, existing and proposed structures, pools, walks, patios, vehicular use areas, lot orientation, utility services, light poles, pad-mounted transformers, fire hydrants, existing and proposed elevations, and any other factors affecting the proposed use of the property (including the land use and zoning of adjacent properties).

3. New landscape plans shall account for plant watering needs and group plants into "hydrozones." Hydrozones and their corresponding irrigation category shall be identified on the landscape plan.
- C. ~~Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section. (RELOCATED TO POLICY 4.05.05)~~
- D. ~~Except within the Central Business District (CBD)/ C-3 zoned properties, at least twenty (20) percent of the total gross land area of a development site shall be landscaped. The landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees. RELOCATED POLICY TO 4.05.06~~
- E. ~~RELOCATED POLICY TO 4.05.05—Single family and two family development shall include, at a minimum, one (1) canopy tree for every 2,500 square feet of lot area or fraction thereof. At least one (1) trees shall be located in the front yard and at least one (1) trees shall be located in the rear yard. Tree identification and placement shall be shown on a site plan but shall not be required to meet the requirements of 4.05.04(A) above.~~
- F. ~~RELOCATED POLICY TO 4.05.05—Multi family residential development sites shall meet the following standards, in addition to the requirements set forth in Section 4.05.04(A) above:~~
3. ~~There shall be not less than one (1) canopy tree for each 1,500 square feet, or fraction thereof, of development site.~~
4. ~~There shall be a planting area not less than ten (10) feet in width between the building walls and parking areas. Landscape materials shall be provided as follows:  
One (1) tree for every 200 square feet of planting area or fraction thereof;  
At least fifty (50) percent of the trees shall be canopy shade trees; and  
A continuous hedge shall be placed along the building walls.~~
5. ~~There shall be a planting area not less than ten (10) feet in width between an abutting right of way and parking areas. Landscape materials shall meet the following standards:  
One (1) tree shall be provided for every 250 square feet of planting area or fraction thereof;  
At least seventy five (75) percent of the trees shall be canopy trees;  
A continuous hedge or a berm, at least three (3) feet in height, shall be provided; and  
The entire site, outside of the planting areas immediately surrounding the trees and shrubs, shall contain grass or ground cover.~~
- G. ~~RELOCATED POLICY TO 4.05.06—Nonresidential development shall provide one (1) canopy shade tree for each 1,500 1,250 square feet of gross site area, or fraction thereof.~~

#### 4.05.05 Minimum Landscape Requirements for Residential Development

It is the intent of this section to provide minimum landscaping requirements for residential development. Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section (RELOCATED POLICY FROM 4.05.04(C)).

##### A. Single-family and Two-family Residential Development(RELOCATED POLICIES FROM SECTION 4.05.04(E+F))

Single-family and two-family development shall include, at a minimum, one (1) ~~eanopy~~ shade tree for every 2,500 square feet of lot area or fraction thereof. At least ~~one (1)~~ two (2) trees shall be located in the front yard and at least ~~one (1)~~ two (2) trees shall be located in the rear yard. Tree identification and placement shall be shown on a site plan but shall not be required to meet the requirements of 4.05.04(A) above.

##### B. Multi-family Residential Development

Multi-family residential development sites shall meet the following standards, in addition to the requirements set forth in Section 4.05.04(A) above:

1. There shall be not less than one (1) ~~eanopy~~ shade tree for each 1,500 square feet, or fraction thereof, of development site. There shall be a planting area not less than ten (10) feet in width between the building walls and parking areas. Landscape materials shall be provided as follows:
  - a. One (1) tree for every 200 square feet of planting area or fraction thereof;
  - b. At least fifty (50) percent of the trees shall be ~~eanopy~~ shade trees; and
  - c. A continuous hedge shall be placed along the building walls.
2. There shall be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. Landscape materials shall meet the following standards:
  - a. One (1) tree shall be provided for every 250 square feet of planting area or fraction thereof;
  - b. At least seventy-five (75) percent of the trees shall be ~~eanopy~~ shade trees;
  - c. A continuous hedge or a berm with native plantings, at least three (3) feet in height, shall be provided; and
  - d. The entire site, outside of the planting areas immediately surrounding the trees and shrubs, shall contain grass or ground cover.

#### 4.05.06 Non-Residential and Mixed Use Development

##### A. Minimum Landscaped Area(relocated policy from section 4.05.04(D))

At least twenty (20) percent of the total gross land area of a development site shall be landscaped except within the Central Business District/ C-3 zoned properties where a minimum of 10% of the total gross land area shall be landscaped. New construction and ~~The~~ landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees. Minimum landscaped area requirements may be achieved through use planters and rooftop gardens. Planting areas which fulfill landscape design strategies located within public rights-of-way shall count towards the minimum planting area, if installed and paid for by the developer or property owner.

##### B. Minimum Tree Planting(relocated policy from section 4.05.04(G))

Nonresidential development shall provide one (1) ~~eanopy~~ shade tree for each 1,500 square feet of gross site area, or fraction thereof.

#### 4.05.07.06. Parking Lot Landscaping

- A. Intent: It is the intent of this section to promote vehicular and pedestrian safety; limit physical site access to established points of ingress and egress; delineate and buffer the bounds of abutting vehicular use areas so that distractions of movement, noise and glare from one area do not adversely affect the activity in another area; break up large expanses of pavement; and to reduce heat island effect within the vehicular use areas of a site.

B. ~~A. Off-Street Parking:~~ All off-street parking lots with six (6) or more required parking spaces and vehicular use areas (access driveways, service drives, and loading areas) are required to include landscaping. Required parking lot landscaping shall be in addition to requirements for protection of existing trees.

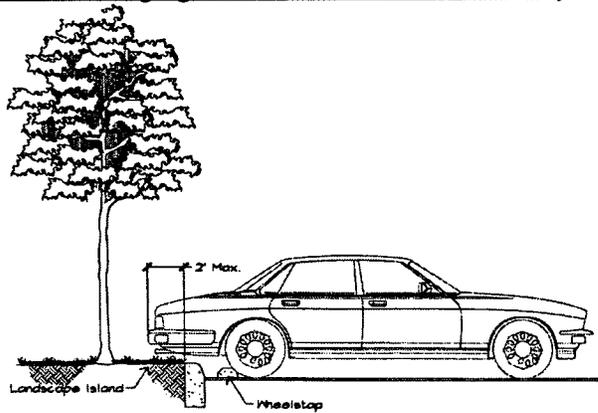
C. Perimeter Landscaping:

6. A landscaped area not less than ten (10) feet in width, exclusive of impervious area, using vertical layering of landscape materials shall be located around the perimeter of the parking lot in order to provide visual screening from the right-of-way. Perimeter landscape area requirements shall not apply to shared vehicular access areas or to the portion of the perimeter areas where physical interconnections exist.
7. When perimeter landscape areas are required on adjacent properties, the owners of such adjacent properties may agree to the installation of only one such landscape area on the adjacent boundary, as long as such agreement is binding on both property owners and their successors in the interest and is approved as part of the site plan review process.
8. ~~2.~~ Where the parking lot is in a side or rear yard and a buffer “C” or “D” is provided pursuant to Section 4.05.05, the buffer shall satisfy the requirement for providing landscaping between the parking lot and the abutting street.
9. Where a buffer “A” or “B” is required pursuant to Section 4.05.05, the landscaped area shall also include a continuous unbroken hedge, planted in a double-staggered row to form a solid visual screen within one (1) year of planting.
10. An access, not exceeding four (4) feet in width, may be provided through the buffer to an adjacent sidewalk public street or sidewalk.
11. ~~One (1) canopy tree shall be installed for each 400 square feet of required planting area.~~ Trees within the perimeter landscaped area shall be determined using a ratio of one (1) tree for each 20 linear feet of required landscape perimeter area, or major portion thereof, with no less than 75% of said trees being shade trees. Creative design and spacing is encouraged
12. A visual screen is required within perimeter landscape areas, running the entire length of such areas excluding areas of ingress and egress. The visual screen may be provided using:
  - a. Shrubs or Ornamental Grasses. Shrubs or Ornamental Grasses shall be spaced a minimum of three feet to a maximum of six feet on center dependent on the inherent growth of the species. Creative design and spacing is encouraged.
  - b. Contoured berms or embankments. Contoured berms or embankments shall be a minimum of twenty-four (24) inches in height, measured from the adjacent parking surface level, at the time of planting and landscaped appropriately.
  - c. Plant material must be non-deciduous for full year round screening.

D. Interior Parking Lot Landscaping:

1. Planting areas within parking lots and vehicular use areas shall equal not less than ten (10) percent of the gross area devoted to vehicular use. The perimeter landscaping shall not count toward meeting the required interior landscaping.
2. Interior planting areas shall be located in tree islands, at the end of parking bays, and between rows of parking spaces. There shall be not more than ten (10) contiguous parking spaces (or twenty (20) parking spaces in a double row) between planting areas.
  - a. Planting areas may also be located within driveway medians, provided the median is a minimum of twelve (12) feet wide.
  - b. (RELOCATED FROM SECTION 4.05.07(D)(7)) One (1) ~~canopy shade~~ tree shall be installed for each 400 square feet of required planting area. Alternatively, a minimum of two, three-inch or three, two-inch, caliper shade trees together with other landscape material shall be planted within each required planting area. Spacing shall be no closer than fifteen (15) feet on center and no greater than eighteen (18) feet on center.

3. Interior planting areas shall be located to effectively accommodate stormwater runoff, as well as to provide shade in large expanses of paved areas. Use of swales, vegetated filter strips, and bioretention areas (rain gardens) shall be incorporated into the overall stormwater plan, grading plan, and landscape strategy for the entire parking area. Plant species should be selected based on their ability to tolerate urban stresses such as expected pollutant loadings, highly variable soil moisture conditions, ponding water fluctuations, and Soil pH and texture.
4. If stabilized grass parking is utilized, the parking spaces shall be delineated with parking stops and the required landscape islands with trees and stubs installed to break up rows of ten (10) consecutive parking spaces.
5. The design of interior landscaped areas shall comply with the specifications set forth in Section 4.05.03 and 7.01.04(C).
6. A continuous curb or other means of protection shall be provided to prevent injury to vegetation within the planting areas.
  - a. ~~The e~~Curbs shall be designed to allow percolation of water to the root systems of the plants. Where existing trees are preserved, tree wells, tree islands, or a continuous curb shall be installed to protect the trunk and root system from damage. A drainage system shall be provided within the area defined by the drip line of the tree(s).
  - b. Vehicle stops or other design features shall be used to prevent parked vehicles from overhanging more than two (2) feet into any landscape area.



Example:

- ~~7. One (1) canopy shade tree shall be installed for each 400 square feet of required planting area.~~ (RELOCATED TO SECTION 4.05.07(D)(2)(b))
- E. In order to allow for flexibility and creativity in design standards, hedges may be replaced or interrupted in areas which provide for a decorative wall and berms and other creative landscape features, and landscape materials may be clustered so long as the parking area remains screened from the public right-of-way and adjacent private property, as set forth in Section ~~4.05.06~~ 4.05.12.

#### 4.05.08 Freestanding Sign Landscaping

1. All monument signs shall have shrubbery or flowers planted around the perimeter of the sign. Signs shall be located so as to provide both adequate visibility from the public rights-of-way and to preserve protected trees.
2. If a freestanding sign cannot be shifted to allow the required room for perimeter plantings between the sign and the parking area without obscuring visibility to the sign, then the City shall allow a five (5) foot radius from the base of the freestanding sign in which lower accent plantings are allowed in lieu of perimeter plantings.

#### 4.05.09 Mechanical Equipment Screening Plantings

Structures such as dumpster enclosures, mechanical equipment, backflow preventers, wells, pumps, tanks, buffer walls, HVAC units, transformers, lift stations, utility cabinets, electrical

panels, or cable television equipment shall be fully screened with planting beds in areas visible from the public rights-of-way.

- A. The height of such screening shall be a minimum of 30 inches at the time of installation.
- B. (THE FOLLOWING SENTENCES ARE RELOCTED SECTION FROM 4.05.05(H)) Required access ways to these utilities are exempt from the screening provisions. Other uses which require high visibility and easy access, such as fire hydrants, public and emergency telephones, mail boxes, and school bus shelters/benches, are exempt from these provisions.

#### 4.05.10 Retention and Detention Ponds

Stormwater retention/detention ponds shall be naturally shaped (without geometric straight sides) and shall meet the following minimum requirements:

- a. All wet detention ponds shall incorporate a combination of aquatic and non-aquatic native plants to completely surround the perimeter to filter runoff of fertilizers, herbicides, and pesticides.
- b. Wet detention ponds shall incorporate, at a minimum, a littoral zone or a littoral zone alternative Per Chapter 40C-42, Florida Administrative Code.

#### 4.05.07 11. Requirements for Street Trees

- A. Trees planted near the street curb line or within swales near the curb line of streets are called street trees. Trees planted in a median between traffic lanes are also called street trees. Street trees are intended to provide:
  - 1. Security to pedestrians crossing wide streets;
  - 2. A screen for drivers from headlight glare of oncoming traffic;
  - 3. Blockage of direct sun into the eyes of drivers, especially commuters traveling east and west;
  - 4. An indication of the course of the roadway in the distance; and
  - 5. A protective barricade to head-on collisions with out-of-control vehicles which cross into the median.
- B. In all subdivisions and any other developments involving the creation of new streets, street trees shall be planted in the rights-of-way or a median, unless it is determined that a conflict exists between trees and utilities located in the rights-of-way or site distances are not in compliance with sound and generally accepted engineering practices and principles. In such cases, the street trees shall be planted outside of the rights-of-way.
- C. If street trees are located to be outside of the rights-of-way, trees shall be planted no farther than five feet outside the right-of-way line, and shall be perpetually maintained. Street plantings shall be in accordance with minimum planting standards.
- D. Buffer plantings consistent with LDC Section 4.05.12 (E) – (G) shall be established to surround new residential subdivisions.
- E. Street trees planted to meet requirements of this section must be shade trees, and shall be planted at a rate of one (1) tree for every 50 feet of site/lot frontage along the right-of-way or every 30 feet on center in medians. If planted medians and/or cul-de-sac islands are provided with trees, street trees along the outside of the roadway are not required. Use of understory trees are permitted in lieu of shade trees as determined to be practical because of overhead utility lines or other infrastructure conflicts, may be permitted at a rate of one (1) tree for every 25 feet of site/lot frontage along the right-of-way. Preserved or retained trees on-site shall count towards satisfying this requirement in newly established residential subdivisions.
- F. A root barrier shall be installed for all street trees to avoid future root conflicts.
- G. ~~B. Street trees are not required. However, a~~ A majority of the property owners abutting any street may request the establishment of an arbor street. An arbor street is one determined by the City to be suitable for extensive planting of street trees. Requests shall be writing and submitted to the City. Required information includes:
  - 1. Designation of the areas proposed for street trees on a planting plan;
  - 2. Agreement from property owners for trees to be planted adjacent to or on their properties; and
  - 3. Commitment from property owners to provide care and maintenance of the street trees.

- H. Trimming of street trees by adjacent property owners is permitted, provided that all work adheres to ~~National Arborists Society~~ International Society of Arboriculture (ISA) standards and no more than 20% of the tree canopy is removed within a one (1)- year period. No trees authorized pursuant to the arbor street agreement shall be removed without obtaining a tree removal permit, according to the requirements of Chapter 11.

4.05.05.12 Buffer Requirements

- A. The use of properly landscaped and maintained buffer areas can reduce the potential incompatibility of adjacent land uses, maintain open space, protect established residential neighborhoods, and enhance community identity. In order to minimize negative effects between adjacent zoning districts, this section requires ~~that~~ a landscaped buffer area to be provided. The separation of land uses and the provision of landscaping along public rights-of-way through a buffer are designed to minimize potential nuisances, and to enhance community beautification.
- B. Four (4) types of buffers are provided, as set forth in Table 4.05.05.12(B).

**Table 4.05.05.12 (B). Types and Plant Requirements for Buffers**

Buffer Type	Minimum Width (ft.)	Required Plants per 100 Linear Feet of Property Line
A	10	Two (2) understory trees
B	15	Four (4) understory trees
C	15	Two (2) <del>canopy</del> shade trees Four (4) understory trees Continuous <u>unbroken</u> hedge, <u>planted</u> in a double-staggered row <u>to form a solid visual screen within one (1) year of planting</u>
D	20	Four (4) <del>canopy</del> shade trees Four (4) understory trees A solid masonry wall at least four (4) feet high with a continuous <u>unbroken</u> hedge, <u>planted</u> in a double-staggered row <u>to form a solid visual screen within one (1) year of planting</u> , planted on the outside of the wall on the side of least intensity.

- C. A buffer shall be required between zoning districts according to the standards set forth in Table 4.05.05.12 (C). The existence of a road along a property boundary shall not be construed as meeting any part of the buffer requirement, nor as relieving the applicant from providing the required buffer.

**Table 4.05.05.12 (C). Buffer Requirements between Zoning Districts.**

Zoning District of Proposed Development	ADJACENT ZONING DISTRICT																
	R-E	R1-G	R-1	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	IA	I-W	W-1	PI-1	CON
R-E	No Buffer Required																
R1-G	No Buffer Required																
R-1	No Buffer Required																
RLM	No Buffer Required																
R-2	No Buffer Required																
R-3	A	A	A	A	N	N	N	A	N	N	N	B	B	B	B	N	N

**ADJACENT ZONING DISTRICT**

<b>OT-1</b>	N	N	N	N	N	N	N	A	N	N	N	B	B	B	B	N	N
<b>OT-2</b>	N	N	N	N	N	N	N	A	N	N	N	B	B	B	B	N	N
<b>MU-1</b>	B	B	B	B	A	A	N	N	N	A	A	B	B	C	C	A	N
<b>C-1</b>	C	C	C	C	B	B	B	A	N	N	N	B	B	B	B	N	N
<b>C-2</b>	C	C	C	C	B	B	B	B	N	N	N	B	B	B	B	N	N
<b>C-3</b>	C	C	C	C	B	B	B	B	N	N	N	A	A	A	A	N	N
<b>I-1 Downtown</b>	N	N	N	A	N	N	N	A	N	A	A	N	N	N	N	N	N
<b>I-A Airport</b>	D	D	D	D	D	D	D	D	D	D	D	D	N	D	D	D	N
<b>I-1 Mills</b>	D	D	D	D	D	D	D	D	D	D	D	N	N	N	N	N	N
<b>I-W</b>	D	D	D	D	D	D	D	D	D	C	C	N	N	N	N	C	N
<b>W-1</b>	See Specific Standards in Section 4.03.03-8.01.02																
<b>PI-1</b>	C	C	C	C	B	B	B	A	N	N	N	B	B	B	B	N	N
<b>CON</b>	No Buffer Required																
<b>REC</b>	No Buffer Required																

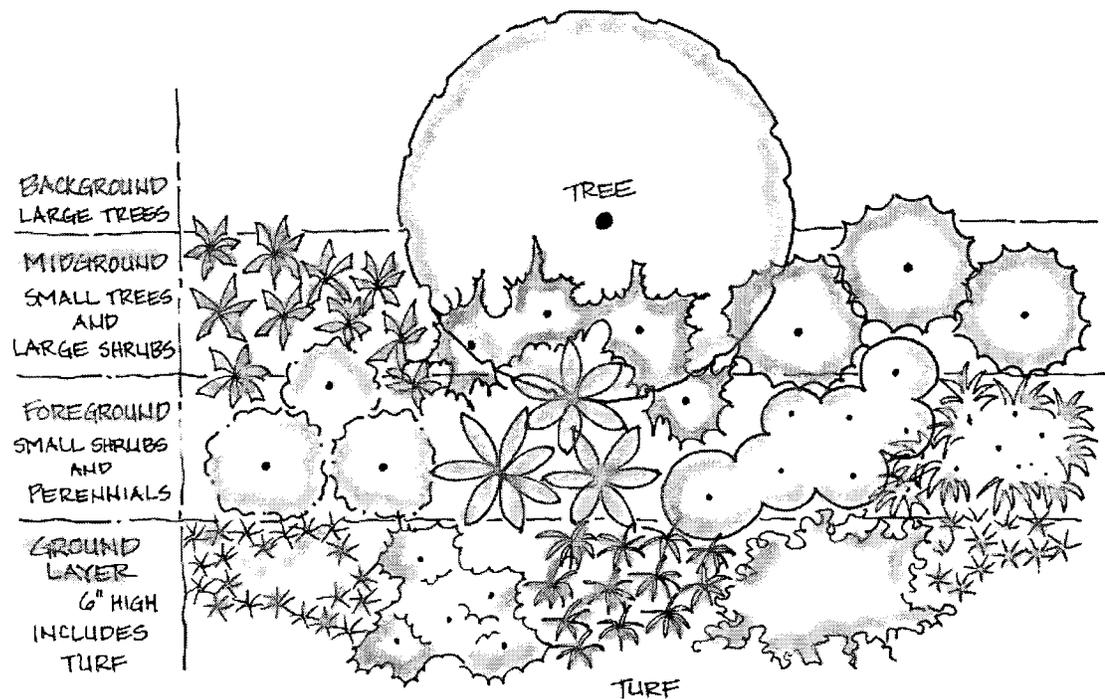
N = No buffer required

- D. Properties abutting the Amelia Island Parkway are required to maintain a 15 foot landscaped buffer. The area between preserved and planted trees can be supplemented with native or naturalized shrubs to provide screening adjacent to any parking areas.
- E. Buffer plantings are required to create vertical layers of plant material in repeating patterns. The examples provided describe vertical layering of plants in the landscape through staggered heights, with low plants in the front interconnecting plant massing layers with taller plants in the back.

Examples:



Credit: Gail Hansen, University of Florida IFAS Extension, EP449



Credit: Gail Hansen, University of Florida IFAS Extension, EP449

- F. A fence or wall included in a buffer screen shall be constructed with the side of the fence or wall with the finished appearance facing the use of lesser intensity or rights-of-way.
- G. An opening through a buffer area may be provided to facilitate pedestrian or vehicular traffic between developments.
- H. ~~Buffer requirements for utilities and public facilities and structures~~  
~~Above ground utilities and accessories to underground utilities which require above ground installation shall be buffered by a continuous planting of shrubs, with a minimum mature height equal to that of the structure, or a maximum height of six (6) feet. Required access ways to these utilities are exempt from the screening provisions. Other uses which require high visibility and easy access, such as fire hydrants, public and emergency telephones, mail boxes, and school bus shelters/benches, are exempt from these provisions. (PORTIONS ARE RELOCATED TO NEW SECTION 4.05.10)~~
- I. H. Permitted use of buffer area
  1. A buffer may be used for passive recreation and picnic facilities. It may contain pedestrian paths or bike trails, provided that the path or trail is not paved. These paths may cross a required continuous hedge provided that openings to allow such crossing points shall be a maximum of six (6) feet in width and shall be spaced not less than 100 feet apart.
  2. Except along the Amelia Island Parkway, a buffer may incorporate water resources including stormwater detention/retention facilities. However, a minimum of ten (10) feet width of the buffer shall be preserved as a planting area without stormwater facilities.
  3. Ingress and egress to the proposed development and utilities may cross the buffer provided they minimize the amount of buffer devoted to this use. Ingress and egress shall not be subtracted from the linear dimensions used to determine the minimum amount of landscaping required.
  4. The buffer area may be included as part of the calculation of any required open space or as part of the required front, side, or rear yard.
  5. Identification signs as specifically allowable pursuant to Section 5.03.00.
  6. Except along the Amelia Island Parkway, street lighting may be incorporated in to the buffer area.
- J. I. Prohibited use of buffer area.

A buffer area shall not be used for any building, parking, storage, or loading area.

~~4.05.08~~ 4.05.13 Hardship Relief

- A. Where a landowner is unduly burdened by the strict application of this chapter, said landowner may apply in writing to the community development department director for hardship relief. (Note: ~~A prime example where hardship relief might be applied is the C-3 Zoning District, Central Business District portion of the Historic District.~~)

~~4.05.09~~ 4.05.14 Tree Protection Requirements

- A. **Intent:** The intent of this section is to provide standards and regulations ~~that will~~ to ensure a minimum number of trees on any lot or parcel, protect and preserve native tree species, protect and preserve the natural landscape, foster and encourage maintenance of natural vegetation, and minimize loss of trees to development. It is the intent of the City that:
1. There shall be no net loss of ~~trees canopy~~ within the City;
  2. Preservation of the City's existing canopy is achieved by managing the impact of development and preventing unreasonable or unnecessary damage to the community's existing native tree canopy and vegetative understory;
  3. The diversity of tree species indigenous to Amelia Island shall be maintained;
  4. Existing mature growth native trees important to the City's tree canopy are protected and maintained to the fullest extent possible;
  5. Structures and all impervious surfaces will be placed in such a way as to protect the survivability and substantial growth of the healthiest ~~native shade~~ trees on the property;
  6. The natural environment is preserved, enhanced, and restored through the protection and establishment of native trees and existing natural systems for the enjoyment of present and future populations; ~~and~~
  7. Achieving greater energy conservation by maximizing the shading and cooling effects of existing native, healthy trees and native replacement trees;
  8. The health and well-being of Fernandina Beach residents and visitors is protected by providing shade and otherwise moderating potential dangerous summer temperatures;  
and
  9. ~~6:~~The unique aesthetic character of the City is preserved, enhanced, or restored.
- B. **Permitting Requirements:** Protected Trees are any existing, healthy tree having a five (5) inch DBH, or greater and not identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list (Category I or II) Protected trees are existing, healthy trees which are five (5) inches DBH or greater and are not on the list of prohibited or invasive trees set forth in Table 4.05.03(A)(3). A tree removal permit is required for the removal of any protected tree, except as set forth below. There shall be three categories of exemptions or partial exemptions, as follows:
1. *Exemption from permit, permit fee and replacement requirements:*
    - a. Trees and landscaping specifically grown as landscape material for resale by duly approved and licensed plant nurseries and botanical gardens.
    - b. Damaged or hazardous trees during and for a one (1) month period following a declared ~~emergency disaster~~.
    - c. Minor maintenance activities such as removal of sucker growth, water sprouts, and overhanging branches on mature trees. All work shall be performed in compliance with the current ISA Arborist standards and best practices.
  2. *Exemption from fee and replacement requirements.* A permit shall be required for removal of the following trees, however, removal of these shall be exempt from the permit fee and replacement and replacement plan requirements of this article as follows unless the removal of such tree results in the property not achieving the City's minimum landscape standards as specified in LDC Sections 4.05.05:
    - a. Any tree other than a protected or heritage tree;
    - b. Trees damaged by disease, fire, windstorm, lightning, insect infestation or other acts of nature, which pose an imminent danger to life, ~~or~~ property or other protected trees; The administrative official may require a written certification of the need to remove such a tree or trees, at the property owner's expense, from an ISA certified Arborist prior to authorizing such a removal.
    - c. Removal of trees (thinning) within a forested area in order to reduce overcrowding and competition and to promote the health, growth, and resistance to stress may be permitted only when accompanied by written certification of the need to remove such tree(s) at the property owner's expense, from an ISA certified Arborist prior to authorizing such removal.

- d. ~~e~~. Major and minor maintenance of trees located adjacent to utility lines; and
- e. ~~d~~. Removal of trees by the City on City rights of way.
- f. The tree prevents access to a lot and no feasible alternative access points exist.

(RELOCATED FROM SECTION 4.05.09D)

3. Partial Exemptions from replacement requirements for site development. A permit and permit fee shall be required for removal of ~~the following~~ protected trees for purposes of site development provided that mitigation requirements have been met through either on-site retention of existing healthy native trees or through the planting of replacement trees required as follows: however, removal of these shall be partially exempt from the replacement and replacement plan requirements of this article as follows:
  - a. For one- and two-family residential properties: ~~e~~Eighty (80) percent of the total DBH of the protected trees shall be exempt ~~from replacement, however, r~~Replacement of twenty (20) of the total DBH of the protected trees located within the area of the building footprint, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit shall be required.
  - b. For affordable housing units, the City Manager or designee is authorized to issue an administrative waiver pursuant to the procedures set forth in Chapter 10.
  - c. For ~~commercial non-residential and other~~ mixed use or multi-family residential properties: ~~the exemption shall apply to s~~Seventy-five (75) percent of the total DBH of the protected trees shall be exempt from replacement. located within the area of the impervious improvements, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit. Replacement of twenty-five (25) percent of the total DBH of protected trees located within the area of the impervious improvements, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit shall be required.
- C. **Tree Survey or Inventory:** All protected trees shall be shown on a tree survey or a tree inventory prepared by a certified arborist, submitted with an application for a tree removal permit or with an application for development approval as set forth in Chapter 11.
- D. ~~One (1) or more of the following criteria shall be met for removal of a protected tree:~~
  10. ~~The tree is a hazard to traffic, public utilities, existing buildings, or structures;~~
  11. ~~The tree is injured, diseased, or insect infested such that it is a hazard to people, structures, or other trees; or~~
  12. ~~The tree prevents access to a lot and no feasible alternative access points exist.~~  
*Contained as part of sub-section B.*
- E. **D. Replacement trees Requirements:**
  1. When authorization has been granted to remove protected trees, replacement trees shall be planted. The combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal subject to any preservation credits ~~that are available due to from the preservation retention~~ of protected trees on the site. Preservation credits are set forth in Section 4.05.~~09~~14 (E)(5).
  2. Replacement trees shall meet the standards set forth in Section 4.05.03, and shall be balled and burlapped or container-grown.
  3. Protected trees authorized for removal may be relocated to locations ~~that comply~~ compliant with the specifications set forth in Section 4.05.03 and approved by the City Manager or designee.
  4. An applicant shall be permitted to pay a fee to the City Tree Replacement Fund for up to fifty (50) percent of the cumulative DBH of protected trees removed, less the credits accumulated from preservation of trees on the site. The fee will be set by resolution of the City Commission and will be based on the average cost for the City to replace the tree with the same species, excluding invasive species, the fiscal year in which the permit is issued.
- F. **E. Preservation Credits**

(RELOCATED FROM SECTION 4.05.06 REQUIREMENTS FOR NON-RESIDENTIAL LANDSCAPE –NEW LANGUAGE PREVIOUSLY REVIEWED)

1. On-site retention of native, healthy trees shall receive benefit of tree preservation credits to reduce the overall tree replacement requirements as follows:

- a. Trees equaling 8” – 13” shall receive a 1.5x credit
- b. Trees equaling 14”-20” shall receive a 2x credit
- c. Trees equaling 20” or greater shall receive a 3x credit

In order to qualify for on-site tree preservation credits, each tree proposed for retention must be evaluated by a certified arborist to ensure that the tree is healthy and compatible with the proposed development of the site.

2. ~~Applicants will receive a preservation credits for retaining protected trees on the site.~~ These credits shall only be applied towards tree replacement requirements created by the removal of protected trees as set forth in 4.05.0914(B)(3). These credits may be transferred only on unified multiple lot developments.

3. Preservation credits for the total DBH of protected trees retained on the site will be applied during the review of the replacement plan.

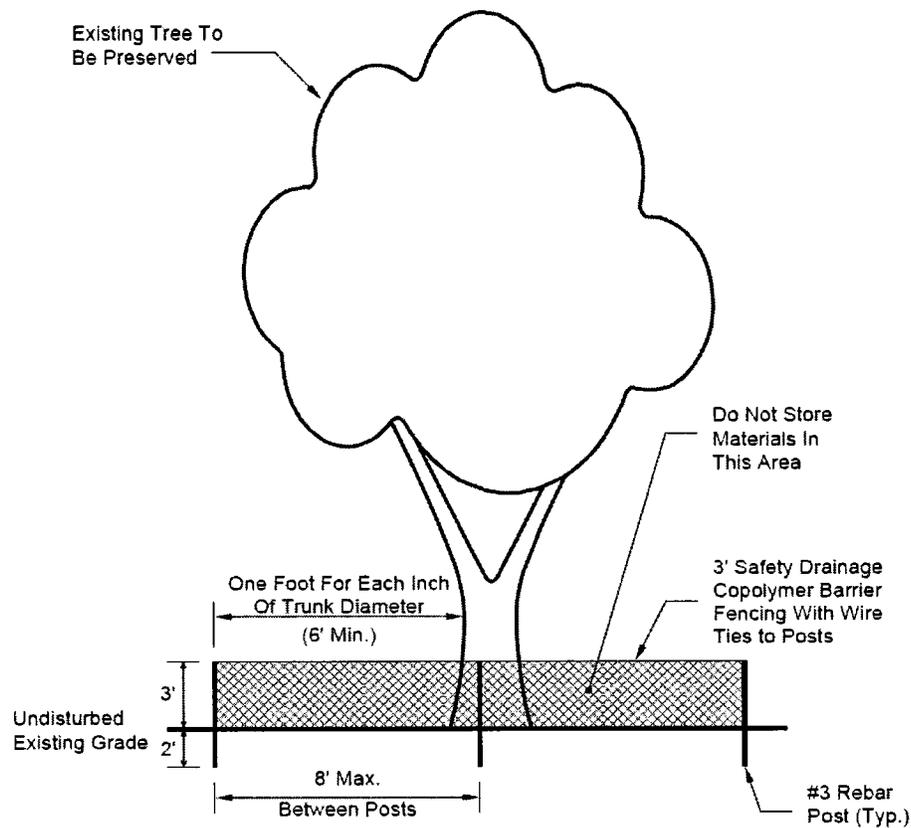
**G. F. Protection of Trees During Development Activities:**

5. Protective measures are required during site development in order to assure the health and survival of protected trees. Storage of construction materials or fill dirt is expressly prohibited within the tree protection area. Protective measures are required to avoid:

- a. Mechanical injuries to roots, trunk, and branches;
- b. Injuries by chemical poisoning;
- c. Injuries by grade changes;
- d. Injuries by excavations; and
- e. Injuries by paving.

2. A tree protection zone shall be established around each protected tree(s) as follows:

- a. If the drip line is less than six (6) feet from the trunk of the tree, the zone shall be that area within a radius of six (6) feet around the tree.
- b. If the drip line is more than six (6) feet from the trunk of the tree, but less than twenty (20) feet, the zone shall be that area within a radius of the full drip line around the tree.
- c. If the drip line is twenty (20) feet or more from the trunk of the tree, the zone shall be that area within a radius of twenty (20) feet around the tree.
- d. Prior to commencement of construction, the tree protection area shall be enclosed and installed as required in the detail provided and described herein. The tree protection barricade shall be at least three (3) feet tall. The barrier shall consist of either a wood fence with 2x4 posts placed at a maximum of eight (8) feet apart, with a 2x4 minimum top rail, or a temporary wire mesh fence, chain link or other similar barrier which limits access to the protected area. The fence must remain in place through the duration of construction activities. Beyond the dripline of the canopy, a 3” mulch bed shall be established to avoid compaction from heavy machinery. Trenching close to a preserved tree on-site must be done by hand or air spading only. Preserved trees that may have root impacts resulting from the surrounding development shall be handled through hand cut root pruning practices only. Root ripping equipment is not permitted.
- e. An exception shall be granted if the required protection zone prohibits access to the site. Consultation with a certified arborist is required to determine a proper access plan and provide measures to ensure protection of the tree during construction activities.



3. All development activities, except those specifically permitted by Section 4.05.0914(F)(5 4), shall be prohibited within the tree protection zone, including any construction of buildings, structures, paving surfaces, stormwater retention or detention ponds, and temporary construction activities, including all digging, storage of construction material, and parking of construction vehicles.
- ~~4. Prior to the commencement of construction, the tree protection zone shall be enclosed within a fence or similar barrier as follows:~~
- ~~a. — Wooden posts, at least one and one half (1½) by three and one half (3½) inches, shall be implanted in the ground deep enough to be stable and with at least three (3) feet visible above ground.~~
- ~~The wooden posts shall be placed not more than six (6) feet apart, and shall be linked together by a rope or chain.~~
- 4.5. Permitted activities within the tree protection zone:
- a. Excavating or trenching by utilities service providers for installation of underground utilities. Underground utilities shall be no closer to the tree than ten (10) feet.
- Placement of sod or other ground covers, and the preparation of the ground surface for such covers.
- ~~5.6.~~ The root systems of protected trees shall be preserved when installing fences and walls. Postholes and trenches located close to trees shall be dug and adjusted as necessary to avoid damage to major roots. Continuous footers for masonry walls shall be ended at the point larger roots are encountered and the roots bridged.
6. In order to control air and water pollution from dust from traveling across the landscape, a detailed and site specific plan for dust control measures is required. Control measures may include, but are not limited to: sprinkling or irrigation, vegetative cover, mulch, wind breaks, or soil treatments.
- H. **G. Abused Trees:** Abused trees shall not be counted toward fulfilling tree replacement or preservation requirements. The City may require the abused trees to be replaced and are subject to penalties provided for in LDC section 11.08.04. A tree shall be considered abused if one (1) or more the following actions have taken place:

1. Significant damage has been inflicted upon any part of a tree, including the root system by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application, or change to the natural grade;
2. Damage inflicted to or cutting upon a tree ~~that permits~~ which causes infection or pest infestation;
3. ~~Cutting upon~~ Pruning any tree ~~that~~ to permanently reduces the function of the tree or causes it to go into shock;
4. ~~Cutting upon~~ Pruning a tree ~~that~~ to destroys its natural shape;
5. Hatracking;
6. Removal of bark which is detrimental to the tree;
7. Tears and splitting of limb ends or peeling and stripping of bark;
8. Use of climbing spikes, or cutting into the tree for the purposes of climbing on any species of tree for any purpose other than total removal, except as the same may be required to comply with federal, state or local laws and regulations, including, but not limited to, the Occupational Safety and Health Act; and
9. Girdling a tree with the use of wires (e.g., use of weed eater, mower damage, or improper cabling around branches).

#### 4.05.15 Heritage Trees

A heritage tree is a tree designated by the City as irreplaceable due to its size, age, and its historic, aesthetic, or cultural significance.

##### **A. Designation Criteria**

To be designated a heritage tree; the following criteria must be met

1. The tree must be indigenous to the region.
2. The tree must be in apparently healthy growing condition
3. The tree must have a DBH of at least 36" and;
4. The tree must possess significance by meeting one or more of the following criteria:
  - a. The tree has a documented association with a historical figure, property, or significant historical event.
  - b. The tree is associated with a historic landmark or site as defined in this LDC.
  - c. The tree was planted as a commemorative, memorial or tribute;
  - d. The tree was planted during a particularly significant historical era.
  - e. The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks or trees located along dune or ridge lines
  - f. The tree is of exceptional or unique architecture.
  - g. The tree is identified by the city as having significant arboricultural or horticultural value to the citizens of the city.
  - h. The tree is identified as playing a significant role in the landscape or architecture of a specific location.

##### **B. Categories**

There shall be 2 categories of heritage trees: Designated Heritage Tree and Protected Heritage Tree

1. *Designated Heritage Tree (Private Property)*: The City shall provide the following incentives to encourage private property owners (Owner) to preserve and protect Designated Heritage Trees.
  - a. The City may provide to the Owner recommendations regarding the proper care and maintenance of a Designated Heritage Tree.
  - b. The City shall provide aid in the evaluation of a Designated Heritage Tree every four years. The evaluation shall be conducted by City staff and an International Society of Arboriculture (ISA) Standards certified arborist for the purposes of determining health and wellness of the tree, evaluating and diagnosing potential biotic or abiotic disorders and recommending

appropriate treatments. The City shall pay 25% of the reasonable costs of this evaluation and findings shall be provided to both parties.

- c. A Designated Heritage Tree may be pruned by the Owner. The Owner is encouraged to trim a Designated Heritage Tree in accordance with ISA standards so ~~that~~ the pruning ~~would~~ does not reduce the tree's height or crown diameter, such that it alters the tree's general appearance, increase the tree's susceptibility to insects or disease, or otherwise increase its risk of mortality. Upon request, the City or a qualified designee will consult with the Owner regarding acceptable pruning methods and techniques.

If considering removal or ~~an~~ actions which result in that would damage of a Designated Heritage Tree, the City will, upon request, consult with the Owner regarding possible alternatives to address the condition(s) necessitating remove or potential damage to the tree.

2. *Protected Heritage Tree:* A Protected Heritage Tree is any Designated Heritage Tree located on public property or one located on private property where the property owner (Owner) has encumbered his/her property with an instrument provided by the City and recorded by the Owner with the County of Nassau. The purpose of the instrument is to inform future Owners that the property contains a Designated Heritage Tree. The recorded instrument shall reference the City of Fernandina Beach Heritage Tree Program and include a statement that prior approval is required by the Owner from the City of Fernandina Beach for any act that may result in potential damage or removal of the Protected Heritage Tree. Such tree shall be classified as a Protected Heritage Tree. Said instrument cannot be revoked without consent of the Fernandina Beach City Commission. In cases where the proposed Protected Heritage Tree is ~~planted~~ located on or near the property line, the Owners of both properties must be in agreement as to the designation of the tree as a Protected Heritage Tree.

The following are incentives or benefits, in addition to those listed under Designated Heritage Tree (Private Property), above, bestowed upon the Owners of those trees designated as Protected Heritage Trees. The owner of a Protected Heritage Tree is eligible for percent matching funds from the City of Fernandina Beach Tree Trust Fund relating to proper care and maintenance of a Protected Heritage Tree. Matching funds may be applied for the following:

- a. Removing diseased or insect-infested wood, removing broken or damaged limbs and by engaging in regular maintenance pruning to promote continued vigor of the tree under advisement by an ISA certified Arborist. Pruning of a Protected Heritage Tree every five years to ISA standards. The City shall pay 25% of the reasonable costs for pruning of a Protected Heritage Tree, as determined by the City Manager or designee.
- b. Evaluation of a Protected Heritage Tree every ~~2~~ 3-4 years or in emergency situations as deemed by the City Manager. The City shall pay ~~50%~~ 100% of the reasonable costs for an evaluation by an ISA certified Arborist for the purposes of determining health and wellness of the tree, evaluating and diagnosing potential biotic or abiotic disorders and recommending appropriate treatments.
  1. Treatment of a Protected Heritage Tree as necessary. The City shall pay 25% of the reasonable costs of applying treatments or other remedial actions necessary to maintain the health of a Protected Heritage tree, manage pests or complete other Plant Health Care (PHC) relating to the Protected Heritage Tree
  2. A heritage tree shall not be removed except by specific authorization from the City Commission.

3. Any person who owns, controls, has custody or possession of any real property within the city shall maintain and preserve all heritage trees located thereon in a state of good. Failure to do so shall constitute a violation of this section.
4. No person shall willfully damage, injure, destroy, move or remove a heritage tree except pursuant to the terms and conditions of a permit granted pursuant to this article.

C. **Construction/grading activity**

Any owner or person who conducts any grading or construction activity on property shall do so in such a manner as to not threaten the health or viability or cause the removal of any heritage tree. The City Manager or designee may impose conditions on any development permit to require construction fencing and/or the use of protective grading methods to assure compliance with this section. In addition to said conditions, the following shall apply:

1. Except as otherwise provided in this section, excavation adjacent to any heritage tree shall not be permitted where material damage to the root system may result. When proposed developments encroach into the drip line of any heritage tree, special construction techniques to allow the roots to breathe and obtain water may be required as a condition(s) to the approval of any application for a building, zoning permit or removal permit.
2. The existing ground surface within the drip line of any heritage tree shall not be cut, filled, compacted or pared except for existing, permitted encroachments such as sidewalks or as otherwise expressly approved by the City Manager or designee pursuant to an approved arborist's report. Tree wells may be used where advisable.

D. **Nominations**

Any citizen, property owner, or City official may nominate a tree to be designated as a heritage tree. **Nominations must be accompanied with permission from the property owner where the tree stands.** Consideration of the nomination shall follow the procedures set forth in Chapter 11.

E. **Recognition**

Every designated heritage tree may be permanently marked identifying it as such and advising that ~~penalty for~~ unauthorized removal will result in a fine as stated in Section 11.08.04. The requirement to permanently mark each designated heritage tree is advisory only and not a legislated mandate. Failure of the City to mark such tree shall not adversely impact the City in enforcing the provisions of this section.

## **CHAPTER 11**

### **11.08.04 Specific Penalties for Violation of Tree Permit Requirements**

- A. When unauthorized removal of trees has occurred, the owner and/or developer or contractor shall submit a restoration plan within thirty (30) days after being cited for the violation. At a minimum, the owner or developer or contractor shall replace, "one for one" (one (1) inch for every inch of DBH), any and all trees that are removed without authorization. No preservation credits shall be applicable for the unauthorized removal of trees. Failure to submit a restoration plan within thirty (30) days shall result in a double fine. In the event that an insufficient trunk of the removed tree exists to determine replacement requirements, including the size and number of required replacement trees, these facts shall be determined by the City Manager based upon any available information, including photographs or a survey of trees of the same species existing within the City. In making such determinations, the opinion of the City Manager shall control. If the City Manager cannot determine with reasonable certainty the number of protected trees removed, the violation shall be corrected by paying a civil fine of up to one dollar (\$1.00) per square foot of land cleared. All amounts received by the City pursuant to this section shall be deposited in the Tree Replacement Fund.
- B. In evaluating a proposed restoration plan, the City shall consider the following:
1. The cross-sectional area of trunk(s) removed;
  2. The specific aesthetic character of the tree removed;
  3. Any special function the tree carried out as a screen or buffer;
  4. Amount of other trees preserved on the site, and the opportunities for planting additional trees;
  5. Any short-term or long-term negative environmental impacts from the unauthorized tree removal, including, but not limited to, erosion, siltation, impacts on listed plant and/or animal species, water circulation patterns, water quality standards, and floodplain capacity or conveyance (including, but not limited to, swales or overland sheet flow, where pertinent).
- C. The City Manager shall review the proposed restoration plan. The City Manager may require any bonding or other guarantees deemed necessary to insure the performance and completion of the restoration plan, and/or the maintenance and survival of the implemented restoration plan. If a bond is required, the bond amount shall be one dollar (\$1.00) for every square foot of land cleared in violation of this section, or \$12,500 if a heritage tree has been removed.
- D. The City Manager shall, within 30 days of submission of a restoration plan, either:
1. Approve the restoration plan after rendering a finding that implementation of the restoration plan, will ensure restoration of the quality and screening functions previously provided on site, according to the criteria set forth herein by the removed or otherwise destroyed trees; or
  2. Deny the restoration plan and levy appropriate fines based on a finding that said restoration plan, upon implementation, cannot restore the quality and screening functions previously provided by the removed or otherwise destroyed trees; or
  3. Deny said plan and inform the owner or developer or contractor of what the City requires in order to approve said restoration plan. Such plans shall be resubmitted within thirty (30) days of the denial. Failure to resubmit or appeal within this time period shall subject the property owner to a fine of \$100.00 per day.
- E. If the City Manager determines that implementation of a restoration plan cannot replace the quality and screening functions of the trees removed or otherwise destroyed then the City Manager may assess the following fines for the unauthorized removal of trees in addition to any other fines required pursuant to other City ordinances or by state or federal rules and laws:
1. \$125.00 per inch DBH for each tree removed that was not located in a designated wetland, coastal upland protection zone, approved upland landscaped buffer areas or conservation easement, tract or similarly designated area; and

2. \$250.00 per inch DBH for each tree removed that was located within a designated wetlands, coastal upland protection zone, approved landscape buffer areas or conservation easement, tract or similarly designated area. This shall include landscape buffer areas previously required as part of an approved landscape plan or other development plan or order, upland buffers around wetlands and habitat or riparian protection zones; and
  3. \$12,500.00 for each heritage tree removed.
- F. No further City permits for the subject property or project shall be issued or inspections provided until all violations of this article are corrected or a restoration plan has been accepted by the City Manager. No certificate of occupancy shall be granted unless and until the restoration plan is implemented or a performance bond satisfactory to the City and its attorney is submitted and approved by the City.

OFFICE USE ONLY

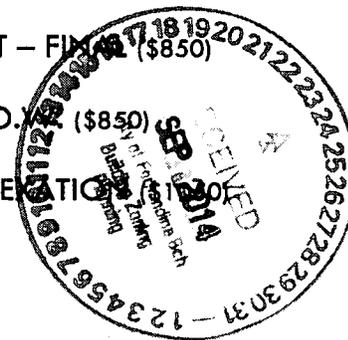
REC'D: 09/24/14 BY: [Signature]
PAYMENT: \$ TYPE:
APPLICATION #: 2014-0001243
CASE #: PAB 2014-17
BOARD MEETING DATE: October 2014



PLANNING ADVISORY BOARD APPLICATION

- ZONING MAP AMENDMENT
LAND USE MAP AMENDMENT
LDC TEXT AMENDMENT (\$850)
COMP PLAN AMENDMENT (\$850)
WATER / SEWER AGREEMENT (\$300)

- SUBDIVISION PLAT - PRELIM (\$750)
SUBDIVISION PLAT - FINAL (\$850)
VACATION OF R.O. (\$850)
VOLUNTARY ANNEXTION



APPLICANT INFORMATION

Owner Name: City of Fernandina Beach
Mailing Address: 204 Ash Street, Fernandina Beach, FL 32034
Telephone: 904.310.3100 Fax: 904.310.3460
Email: jgerrity@fbfl.org

Agent Name: Marshall McCrary
Mailing Address: Same as above
Telephone: Fax:
Email: dmccrary@fbfl.org

PROPERTY INFORMATION

Street Address:
Parcel Identification Number(s):
Lot Number: Block Number: Subdivision:
Section: Township: Range:

**PROJECT INFORMATION**

Total Number of Lots/Parcels: \_\_\_\_\_

Less than One (1) acre Sq. Footage: \_\_\_\_\_ One (1) Acre or Greater: \_\_\_\_\_

Existing Zoning Classification: \_\_\_\_\_

Existing Future Land Use Classification: \_\_\_\_\_

Previous Planning/Zoning Approvals: \_\_\_\_\_

Description of Request:

LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENTS UPDATING CHAPTER 4 SECTIONS 4.01.01 TO ADD MIXED USE TO THE MU-1 ZONING, 4.02.01 (J) AND 4.02. (3) UPDATING REFERENCES, 4.02.03 (A) ADDING ENCROACHMENT ALLOWANCES FOR OPEN AIR BALCONIES, 4.02.03 (E) MODIFYING DESIGN STANDARDS FOR MU- AND C-1 FRONT AND SIDE YARD SETBACKS, 4.04.04 (H) ADDING STREET LIGHT REQUIREMENTS FOR SUBDIVISIONS, AND MODIFYING ALL OF SECTION 4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION.

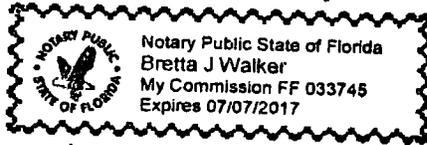
**SIGNATURE/NOTARY**

The undersigned states the above information is true and correct as (s)he is informed and believes.

9.24.14  
Date

[Signature]  
Signature of Applicant

STATE OF FLORIDA }  
                                  SS }  
COUNTY OF NASSAU }



Subscribed and sworn to before me this 24<sup>th</sup> day of September, 2014.

[Signature]  
Notary Public: Signature

Bretta J. Walker  
Printed Name

7/7/17  
My Commission Expires

Personally Known  OR Produced Identification \_\_\_\_\_ ID Produced: \_\_\_\_\_



**STAFF REPORT  
PAB 2014-17  
Planning Advisory Board Hearing  
OCTOBER 8, 2014**

**APPLICATION FOR TEXT AMENDMENT TO CHANGE THE LAND DEVELOPMENT CODE**

**APPLICATION & SURROUNDING AREA INFORMATION:**

<b>OWNER/APPLICANT:</b>	City of Fernandina Beach
<b>AGENT:</b>	Self
<b>REQUESTED ACTION:</b>	Land Development Code Text Amendments for Chapter 4 specifically amending sections: <ul style="list-style-type: none"><li>• 4.01.01 to add mixed use to the MU-1 zoning,</li><li>• 4.02.01(J) and 4.02.03 (3) updating references to the revised section of code in Chapter 8,</li><li>• 4.02.03 (A) adding encroachment allowances for open air balconies in side and rear yard setbacks,</li><li>• 4.02.03 (E) modifying design standards for MU-1 and C-1 front and side yard setbacks, 4.04.04 (H) adding street light requirements for subdivisions, and</li><li>• 4.05.00 modifying all of the landscaping, buffers, and tree protection portions of code. Chapter 1 revisions to definitions and Chapter 11 revisions to Tree Removal Penalties are also included as part of the amendment package</li></ul>

\*\*\* All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website, the City Clerk's Office and at the Community Development Department Office. \*\*\*

**SUMMARY OF REQUEST:**

**MINOR FIXES**

Sections to be changed:

4.01.01 to add mixed use to the MU-1 zoning, and

4.02.01 (J) and 4.02.03 (3) updating references to the revised section of code in Chapter 8

Rationale:

*These sections require amendment as a result of scrivener's error or oversights in section references that required modification when other code amendments were considered.*

Section to be changed:

4.02.03 (A) adding encroachment allowances for open air balconies in side and rear yard setbacks

Rationale:

*Staff and the BOA have witnessed a growing number of people interested in obtaining greater access to their side and rear yards for increased outdoor space and views. However, adding decking or balconies at an elevation greater than 12" above grade is only permissible in full compliance with the side and rear yard setback requirements. Many homes are built right up to the required setback standards (20 or 25 feet) which disallows the construction of an elevated open air balcony. The existing code does allow for wooden decking at an elevation of 12" or less to encroach into required side and rear yard setbacks up to five (5) feet from the property line. In response to the number of inquiries as well as variance requests, staff proposes a text amendment to allow for open air (non-covered) balconies permissible in the side and rear yards only and subject to the same five (5) foot setback requirement as wooden decking.*

Section to be changed:

4.02.03 (E) modifying design standards for MU-1 and C-1 front and side yard setbacks,

Rationale:

*In order accommodate pedestrian scale development patterns within the Mixed Use (MU-1) and Community Commercial (C-1) zoning categories; staff is recommending design requirements consistent with the Central Business District (C-3) and General Commercial (C-2) zoning categories. These categories have no minimum front or side yard setback requirement. The revised*



**STAFF REPORT  
PAB 2014-17  
Planning Advisory Board Hearing  
OCTOBER 8, 2014**

*standard does not mean that a developer cannot include setbacks instead it affords greater flexibility in terms of overall site design. Further, staff has documented delayed development growth within the MU-1 zoning as a direct result of the difficult side yard setback standards currently set at a minimum of 10 feet. Some MU-1 zoned properties, individually owned, are only 25 feet in width (for example along S. 3rd Street) making it virtually impossible to develop.*

Section to be changed:

4.04.04 (H) adding street light requirements for subdivisions

Rationale:

*The Comprehensive Plan Future Land Use and Public Facilities Elements specifically direct changes in the LDC to require energy efficient development standards. One of the areas where the City is able to obtain greater energy efficiency is through its permitted street lighting in residential subdivisions where there is City owned and maintained right-of-way. Staff, in working with Chairman Kreger, have devised a policy which requires street light standards for new residential subdivisions which are compliant with the national standards devised by the Illuminating Engineering Society of North America (IESNA). While these standards do not necessarily mean a more efficient light fixture itself, they do provide standards for safety consideration while avoiding over lighting based on the particular road type.*

**TREE AND LANDSCAPING SECTION 4.05.00, 1.00.07, AND 11.08.04 REVISIONS**

The City has maintained a tree ordinance since at least 1891 and passed its most recent version in 2006. This past summer City staff convened a working group to review the current landscape and tree protection ordinance. The group of local individuals was comprised of a certified arborist, a tree service company, members of the Amelia Tree Conservancy, a neighborhood architectural review member from Amelia Park, and a member of the Planning Advisory Board. The effort was initiated by staff as part of its 2014 efforts to implement the Comprehensive Plan goals into its Land Development Code and to address issues identified over the past eight (8) years in working with the ordinance.

Specifically, the Comprehensive Plan directs changes revolving around use of drought tolerant and native landscaping, low impact development strategies, improving ground and surface water quality, and enhanced buffer requirements. The group worked collaboratively with staff and a master's student in landscape architecture from the University of Florida to draft changes consistent with the direction of the Comprehensive Plan and in keeping with current trends and methods for landscape installation. They met in an advertised open workshop setting five (5) times between April and July. During these meetings the working group reviewed the existing LDC requirements along with the Comprehensive Plan. Then, the group researched example communities including Savannah, GA, Tallahassee, FL, St. Simons, GA, Davie, FL, Palm Coast, FL, and Bradenton, FL to see how their codes have shaped those jurisdictions. The group also allowed time at each meeting for public input on any potential changes.

In the end, the working group along with staff found that the existing code is working fairly well and is achieving the community's desired goals for retention of a healthy native canopy throughout the City. Therefore, proposed revisions to the code are not vastly different from our current landscape and tree protection ordinance. The overall function of the ordinance has not changed; it has simply been tweaked to obtain enhanced landscape design strategies and to provide for improved protection of the City's native, healthy trees.

The tree canopy in the City of Fernandina Beach provides tremendous value to individual property owners. In 2009, the City was able to survey roughly half of the City maintained parks and roadways (excluding the Greenway). Through that survey a valuation of those trees indicated their worth at roughly \$56 million and it was only half of the canopy. The study used i-Tree software to quantify the dollar value of the annual environmental and aesthetic benefits of the 7,000 trees contained in the inventory. The full study may be found online at [www.fbfl.us/trees](http://www.fbfl.us/trees). When asking many newcomers why they chose to move to Fernandina Beach, it has been indicated many times to staff that the number of mature trees here was a deciding factor for them. The City has proudly been designated as a "Tree City" by the Arbor Day Foundation for the past 12 consecutive years.

The revisions prepared specifically for consistency with the Comprehensive Plan include policies to require more sustainable and low impact development strategies through use of drought tolerant and sustainably harvested materials, adding demonstration of hydrozones for water usage when establishing new plantings to avoid overwatering, and consistent standards with revised Florida laws for application of fertilizers. Landscape standards are required as part of new and



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redeveloping sites and are not applied retroactively to existing residential or non-residential properties. Many of the changes are aimed to provide standards that are consistent with the practical application of the current code over the past eight (8) years. The code itself has been re-organized to be more user-friendly. As part of this amendment process, City staff is working to develop guides and materials for public outreach that help our citizens and the development community to better understand the City's tree protection and landscape requirements.

Notable changes to these sections of code include the following:

- Removal of Invasive Species list to rely on a regularly updated listing prepared by the Florida Exotic Pest Plant Council Invasive Plant list;
- Removal of "permissible trees and shrubs" list to reply on the widely used and regularly updated Florida-friendly plant database for selection of trees and shrubs most suitable to a given location which allows for site constraints to be factored such as shade, slope, and soil conditions;
- Providing graphics to depict requirements and make the document more user friendly;
- Modifying the minimum tree planting size from 4" DBH to 2.5-3" DBH to reflect a standard which is less onerous on property owners and achieves greater survivability rates;
- Requires NEW single family homes to have a minimum of 2 shade trees in the front yard and 2 shade trees in the back yard (current requirement is 1) and is consistent with typical landscape plans and/or through retained on-site trees;
- Adds residential subdivision common areas landscape requirements;
- Modifies non-residential (commercial) development to have a minimum of 25% landscaped area (current standard is 20%);
- Adding greater definition and specificity of parking lots landscape standards and incorporating low impact development strategies;
- Adding specific freestanding sign landscape standards;
- Adding mechanical equipment screening requirements;
- Adding landscape requirements for retention and detention ponds;
- Amends existing street tree standards and requires root barriers to avoid future root and hardscape/utility conflicts;
- Requires a 15ft landscape buffer along the Amelia Island Parkway to achieve consistency with Nassau County standards for roadway treatment;
- Allows for tree removal to avoid overcrowding of healthy trees (thinning) and obtain healthier canopy growth as documented by a certified arborist;
- Increases mitigation requirements for tree removal of both residential and non-residential site development;
- Provides standards for tree protection barriers during construction activities;
- Better organizes sections for nomination of a heritage tree;
- Provides greater assistance for protection of heritage trees for private property owners;
- Allows the City to place penalties for tree removal on both the contractor and private property owner when illegal removal has taken place (Chapter 11 change).

**MOTION(S) TO CONSIDER:**

I move to recommend (approval or denial) of PAB case number 2014-17 to the City Commission requesting an amendments to Chapter 4, Chapter 1 (definitions), and Chapter 11 (penalties for tree removal), as described and as amended at the PAB meeting on October 8, 2014 and that PAB case 2014-17, as presented, (is or is not) sufficiently compliant with applicable Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:  
Kelly N. Gibson  
Senior Planner

*Summary of Overall Direction from Tree Working Group*

Use of "Shall" and "Will" Statements	Utility Line Trimming
More progressive than Nassau County's Island Ordinance	Proactive Enforcement
Contains Single Family Home Regulations for Trees	Need for Dedicated Tree Code Enforcement
Photos + Detailed Permit Requirements	Fines for Tree Service Companies (not just property owner)
Identified Procedure for hazard tree evaluation	Increased fine amounts
	Increased Public Education (Brochure with Tree Permit Requirements and Benefits of trees to our community)
	Provide detailed information in a separate document such as a guide that contains best practices and photo examples
	Easier to understand/ Use of Plain Language
	<ul style="list-style-type: none"><li>- Exemption Section</li><li>- Invasive or under brushing section of exemptions</li><li>- 1(c) "minor maintenance"</li></ul>
	Provide definitions within the LDC section as well as in the definitions section of the code or provide reference to code section containing the definition
	<ul style="list-style-type: none"><li>- "Protected Tree"</li></ul>
	Provide clearer examples of improper pruning practices that kills trees
	Clarify use of mitigation fund
	<ul style="list-style-type: none"><li>- Define how to access and make it clearer what its intended purpose is</li></ul>
	Concern with 2:1 Palm allowance on replacement trees as applied to the entire City
	<ul style="list-style-type: none"><li>- Consider allowance within the beach areas only</li></ul>
	Change "No Net Loss" Policy Description to "Contribution" or have Both
	Use of I-Tree software to determine mitigation and environmental impact (see Savannah ordinance)
	Heritage Trees- Are the protection measures working?
	Consider incentives or sponsorship opportunities, clearer language for designation of a heritage tree, clearer language of a "violation" contained on page 4-39, and mapped identification of all heritage trees
	Consider Citizen Action Group to help guide and implement tree ordinance

*Summary of Overall Direction from Tree Working Group*

Establish more policies to incentivize designing with trees in mind and retaining mature canopy

Provide for a canopy road designation process

Provide more specific language for public ROW maintenance of trees

Exemption amounts increased for SF home and commercial properties to retain higher % of inches

Allowance to remove trees that are overcrowding or thinning the canopy (with an arborist statement)

Reduce minimum planting size to 2-3" for replacement canopy trees

Consider replacement tree table with Medium and Large tree species identified in separate columns and provide allowances for replacement with both

Consider restricting replacement of palm trees to beach areas only (identify by streets or CUPZ)

Add language to protect perimeter landscaped buffers along the Amelia Island Parkway

Add requirements for root barriers where sidewalks or utilities are installed (new development and redevelopment, where feasible)

The public hearing was opened at this time and there being no comments from the floor the public hearing was closed. Member Lasserre recused himself from this case, because he had been involved with the platting of these lots from the very beginning. **A motion was made by Member Bennett, seconded by Member Rogers, to approve PAB 2014-14 to the City Commission requesting that a final plat of Egans Creek Landing Phase II – Block B be approved; and that PAB 2014-14 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried (Lasserre – recused himself from the vote).**

#### **4.2 PAB 2014-16 VOLUNTARY ANNEXATION, FUTURE LAND USE AND ZONING CHANGE FOR 1505 S. 14TH STREET (JOHNSON'S AUTO)**

Ms. Gibson explained the City received an executed annexation agreement for the property located at 1505 South 14<sup>th</sup> Street, which totals 1.3 acres. She stated the agreement was executed in 1997 and at this time the property has become contiguous to the municipal limits and is ready to become part of the City. She pointed out that what was being proposed is a land use and zoning of General Commercial and C-2, which is consistent with the existing zoning and land use under Nassau County.

The public hearing was opened at this time and there being no comments from the floor the public hearing was closed. Member Bennett inquired why this took so long. Ms. Gibson explained the property south of this property became contiguous in 2012. After a brief discussion, **a motion was made by Member Bennett, seconded by Member Lasserre, to approve PAB 2014-16 to the City Commission requesting that a voluntary annexation into the City limits be approved assigning the General Commercial/C-2 land use and zoning category as described; and that PAB 2014-16 as presented is sufficiently compliant with applicable Florida Statutes, the Comprehensive Plan, and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

#### **4.3 \* PAB 2014-17 LDC TEXT AMENDMENTS CHAPTERS 4, 1, AND 11 (MINOR REVISIONS AND CHANGES TO LANDSCAPE AND TREE PROTECTION) - Please also review [www.fbfl.us/TreeUpdates](http://www.fbfl.us/TreeUpdates)**

Member Benett inquired about the changes to MU-1 zoning and the sections to be changed regarding rear and side yard setbacks. He stated that he was looking at 4.02.03A and 4.02.03E on page 3. He referred to non-covered balconies permissible in the side and rear yards only and subject to the same five foot setback requirement as wooden decking. He questioned if this was saying the balcony can be set further toward the side yard setback. He pointed out that in 4.02.03E it says there is no minimum front or side yard setback requirement in MU-1 and C-1. He commented that it seems one was saying there would be a five foot setback, but then below it there was no side yard setback. Ms. Gibson clarified 4.02.03E is discussing modifying design standards for mixed use and C-1 zoned properties. She stated the modification is to the front yard in both, and this deals with principal structure setback requirements. She explained that if a principal structure were to build right up to the property line as suggested by the code revision you are not likely to have an issue with having a wooden deck that is five feet from the property line. She stated that the other standard is dealing with encroachment allowances. There was some discussion to clarify this further. The board decided to consider the minor revisions separately from the tree protection. The minor revisions involved changes to Section 4.01.01; 4.02.01J; 4.02.03(3); 4.02.03A; 4.02.03E; and 4.04.04H.

Member Bennett inquired about the lot to building ratio in MU and C-1. Ms. Gibson explained in the mixed use zoned categories there is a maximum density of 8 units per acre, but they can utilize vacant underlying lots of record and they can be reestablished through a variance. She stated that there was a maximum pervious surface ratio of 75% on MU-1 and C-1 zoned properties. It was noted that the height requirement in mixed use was 35 feet and in C-1 was 45 feet. This change was to allow for more flexible site development and more creative design of where you place the structures within these properties. Ms. Gibson pointed out that it was not eliminating the need for open areas and landscaping.

The public hearing was opened at this time.

Mr. Shannon O'Conner, 2440 Lynndale Road, inquired if there were any changes to I-1 and I-A. Ms. Gibson replied there are no requested changes for that. She pointed out that right now those standards were all at a zero setback requirement. Mr. O'Conner questioned how you can see that other changes aren't being made. Ms. Gibson pointed out that there were strike through, underlined, and highlighted sections that are being modified.

The public hearing was closed at this time. City Attorney Bach suggested the motion include all changes to Chapter 4 as noted by City staff except for the change to 4.05.00. **A motion was made by Member Beal, seconded by Member Bennett, to recommend approval of PAB 2014-17 of all sections in Chapter 4 except for 4.05.00 as described and amended at the PAB meeting of October 8, 2014; and that those sections of PAB 2014-17 as presented is sufficiently compliant with applicable Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Ms. Gibson explained that the second part was a modification to the landscaping and tree ordinance as well as a modification of a couple sections of the code: Chapter 4 section 4.05.00; Chapter 1 including updated definitions; and Chapter 11 specific to penalties for tree removal. She pointed out that the staff report notes many of the changes within the document. She stated the landscaping and tree section is about 20 pages. She briefly explained the review process that included a group of citizens, stakeholders, and staff to revise this Ordinance. She commented that sections of the code aim to try to achieve greater consistency with some of Nassau County's regulations as it pertains to buffer requirements along the Amelia Island Parkway.

Member Bennett referred to page 4-7 #7 and read the use of a byproduct recycled mulch shall not be permissible within required planting areas; cypress mulch is strongly discouraged. He commented that he researched and found that numerous companies recycle construction materials for mulch and byproduct can mean a number of things. Ms. Gibson referred to the top of that section and explained that it was suggesting the use of natural materials and not recycled material that is manmade. Member Bennett referred to being sustainable and commented that there are numerous byproducts and recycled materials available for mulch. Ms. Gibson explained that this section of code affects only those required planting areas. There was some discussion about this subject noting that the intent was to discourage manmade byproducts from required planting areas. It was noted that this was not for residential properties, but for new planting areas to have a natural material put down.

Mr. Shannon O'Conner commented that when you come to terms "we would like to see" when he comes to permit they are going say we want this. He questioned what is manmade. He expressed his concern that there may be issues when someone comes in to permit. There was some discussion about this.

Mr. Mike Spicer, 1505 Lake Park Drive, questioned the intent behind restricting certain things. He commented that usually when you are talking about mulch you are talking about something that helps retain moisture for plants and it typically is biodegradable. He pointed out the word “artificial” can include lots of things. Ms. Gibson replied the intent was to get natural mulch. Mr. Spicer referred to the concern about someone coming to permit down the road and commented that as long as the intent can be defined that would be helpful to the public at large trying to stay within the code. Ms. Gibson explained that they wanted to have newly landscaped areas mulched rather than left barren with dirt covering the plants, and what they would like to see is a natural form of mulch. There was some discussion about this and whether a different word should be used. ***The sentence was changed to be “use of an artificial mulch shall not be permissible.”***

Member Laserre referred to section 4.05.05 regarding development and noted single-family and two-family residential development requires one shade tree for every 1,250 square feet. He commented that this was twice as many as before with two in the front yard and two in the back yard. He referred to the earlier case tonight and stated the smallest lot was 1,300 square feet which would need 11 shade trees in an environment that would not be conducive to shade trees. He provided further comments about this requirement. Ms. Gibson referred to a situation where there is an existing lot that has a tremendous canopy that exists and explained that these provisions limit the amount of tree removal to be what is within the construction footprint and five feet surrounding it. She stated that there are mitigation requirements for the trees that are being removed that may be met through the trees that are retained on site. She pointed out that trees retained onsite through the mitigation requirement also serve to satisfy the landscape requirements. She stated that most properties far exceed those minimum inches. She commented that retention of healthy existing trees and not overplanting a site is important. She explained for a completely vacant lot or a lot on Fletcher that doesn't have any trees and it is difficult to grow a shade tree that is why the palm tree provisions are in there for that reason. She commented that most people who are building new single-family homes on South Fletcher are installing far more trees than the minimum landscaping requires. She stated even with the palm tree requirement increasing the last five homes she has seen along Fletcher and Lisa Avenue have planted far more than is required under the current code.

Member Lasserre referred to section 4.05.06 where non-residential development the landscape area goes from at least 20% to 25%. He commented that he believed the County's requirement is 20%. He related an example where a shopping center currently exists and an out lot or the center is expanding what happens if the out lot is owned by another party. Ms. Gibson stated an out parcel should be treated independent of that shopping center. She explained that if you are to expand just the shopping center footprint by taking out existing parking that is going to cause the City to look at the entire shopping center site to see whether it meets minimum landscape standards.

The public hearing was opened at this time.

Mr. Arthur Herman, 2116 Belvedere, representing the Amelia Tree Conservancy, explained that they met with Ms. Gibson last week and offered to set up a tree auxiliary to go out help make sure the ordinance is being enforced. He stated that the auxiliary would also offer education to tell people about trees and plantings. He briefly commented about the diverse membership of the Amelia Tree Conservancy and offered to work with the City. Member Lasserre suggested the idea of a tree bank to identify rights-of-way, parks, and areas that need native trees. Ms. Gibson stated that the City does have a tree fund established, but any partnership would be welcomed.

Mr. Shannon O'Conner, Amelia Island Industrial Park, explained that he was concerned about the parkway and the changes. He commented that the park has been there nearly 40 years and it has been a slow family development. He stated that they go to great expense to keep their big trees, but their water oaks are dying out. He requested to meet with Ms. Gibson to discuss the ordinance. He explained that his biggest concern is what the impact is going to be to the parkway. Ms. Gibson referred to the parkway and explained that there was an additional requirement added under the buffers section to provide for a landscaped buffer requirement, which is consistent with how Nassau County applies a landscape buffer along the Amelia Island Parkway. She stated that it reads that properties abutting the Amelia Island Parkway are required to maintain a 15 foot landscape buffer, and the area between preserved and planted trees can be supplemented with native and naturalized shrubs to provide screening adjacent to any parking areas. Mr. O'Conner commented that there is a bottle neck between the roundabout and where it forks to Buccaneer Trail. He stated that road will have to be widened at some point, and they will take trees on both sides all the way to the right-of-way. He inquired if something would have to be done on the residential side. Ms. Gibson replied that if the property were to redevelop then these landscaping requirements would come into effect, because these changes are not retroactively applied. There was some discussion about this noting that Mr. O'Conner wanted to make sure it was fair on both sides.

Member Beal referred to 4.05.09 mechanical equipment screening plantings and questioned if that applies to the City. Ms. Gibson replied that it would. Member Beal referred to the dumpster enclosure at Main Beach. Ms. Gibson reminded the board that this is not retroactively applied. Member Beal questioned if these requirements could be subject to a variance. Ms. Gibson replied that it could be subject to a variance and an applicant could seek a deviation from any of these requirements. She read a portion of this section into the record. Member Beal referred to 4.05.08 monument signs and commented that he thought it was kind of onerous. Ms. Gibson stated it was requiring a five foot planting around the radius of the base of a freestanding sign. She pointed out that it also includes that there is adequate visibility from public rights-of-way. After some discussion about this, Member Beal referred to the commercial nodes at Main Beach and Sadler and questioned what the impervious areas requirements were in that area. Ms. Gibson replied for the most part you have a 75% impervious surface ratio except for C-3 downtown. It was noted that plans would include an impervious surface ratio for all impervious surfaces, and it would take into account all the landscape required areas. Member Beal inquired if the requirement around a detention pond counted as part of the landscaping requirement. Ms. Gibson replied it would be, but the pond itself would not. She clarified that the idea was to have a naturalized type of pond. There was some discussion about this and some further discussion about the planting requirements for a site. It was pointed out that the City has done revisions to the parking standards recently that are supportive of not having a sea of parking spaces that aren't utilized on a day to day basis. There was a review and brief discussion about the parking requirements. The board had further discussion about the planting requirements and it was suggested that the detention/retention areas be taken out of the calculation area.

Mr. Mike Spicer briefly commented about retaining trees to break up a lot to make it more aesthetically pleasing. Member Lane inquired how the numbers were figured out and if a hypothetical was done. Ms. Gibson replied they looked at past history, current sites that are developing, and looked to see if they were meeting this requirement as it exists. She stated in both the residential and non-residential requirement it has doubled. Member Lane recommended that before going to the City Commission with this to actually do a hypothetical. Member Lasserre referred to Mr. Spicer's comments and pointed out that in Yulee behind the building there is a shade tree every 20 feet and it's likely the won't all survive. He stated that they are there to meet the requirement and nothing more. He agreed with Member Lane's suggestion of having a local case study. Ms. Gibson suggested that before moving forward and in order to provide for a case study where you can see this done perhaps this section should be removed from being modified at this time. Member Lasserre inquired if that would also include going from 20% to 25%. He pointed out

that this would be taking a ¼ of the property for landscaping. There was some discussion about how to proceed with this. There was some discussion about seeing a site design for a single-family development that satisfies these requirements; a multi-family development which satisfies the requirements; a residential subdivision; and a non-residential development. The board clarified that they wanted to see the ratios for landscaping through a hypothetical case study. ***The consensus of the board was for staff to come back with examples of how it is working.***

Mr. O'Conner inquired if there would be a conditional use to make adjustments on commercial. He commented that on a 10 acre site there may be more trees than what they can deal with. He pointed out in his case it is easy to have a 36 or 48 inch live oak and then have a 50 foot radius around that you can't have for parking. He questioned if there was a way to look at in on a case by case basis for commercial or industrial or medical. Ms. Gibson replied the City does not have any conditional use or special use allowances within the code. She stated the City has allowable uses and uses that are allowable subject to supplemental standards. Mr. O'Conner pointed out that once you put a retention pond on 10 acres you have 70% impervious you might end up like Publix in Yulee with their landscaping in the back since they had conservation and wetlands that had all their vegetation. Ms. Gibson commented that because of unique characteristics of the site you could have a great argument for seeking a variance, which seeks to generally comply with the intent behind the code and save more mature trees within an area. Mr. O'Conner commented that it makes it into a problem because a lot of variances don't come to be, and a good project might not take place. He stated that a residential subdivision should be on the same criteria as commercial because it is commercial in its entity to start with and then they sell off lots. Ms. Gibson explained that requirements were added in for common spaces within residential subdivisions to address that. Member Beal inquired if there was an administrative variance. Ms. Gibson replied no and stated there is an administrative deviation up to 10% of the required code and there are provisions for deviation in order to save trees. After a brief discussion about how to proceed, the public hearing was closed. It was noted that the board could postpone this until the November meeting, but if the Port was ready to present in November it would still be on the agenda but the board may not take action on it until the December meeting. **A motion was made by Member Beal, seconded by Member Rogers, to postpone the discussion of the tree ordinance to the December 10<sup>th</sup> Planning Advisory Board Meeting. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

*Motion  
accepted  
10/10/14*

5. **Staff Report** – There were no staff reports at this time.
6. **Board Business** – Member Beal inquired if the board was still seeking alternates. Ms. Gibson replied the board was seeking alternates and board members. She requested that if there is anyone interested to have them contact her or the City Clerk's Office. There were three vacancies with one regular member and two alternates.
7. **Comments by the public** – There were no comments by the public at this time.
8. **Adjournment** - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:00 pm.

  
Bretta Walker, Secretary

  
Len Kreger, Chair

1. **Call to Order** - The meeting was called to order at 5:01 pm.

2. **Roll Call/Determination of Quorum**

**Board Members Present**

Judith Lane, Vice-Chair  
Mark Bennett  
Charles Rogers  
Chris Occhuizzo  
Eric Lawrence (alternate)

David Beal  
Jon Lasserre  
Chip Ross  
Jamie Morrill (alternate)

**Others Present**

Adrienne Burke, Community Development Department Director  
Kelly Gibson, City Planner  
Tammi Bach, City Attorney

Chair Lane briefly spoke with regard to civility during the meetings and that the board deals in facts.

3. **Approval of Meeting Minutes**

3.1. **August 12, 2015 Regular Meeting Minutes – A motion was made by Member Ross, seconded by Member Occhuizzo, to approve the Minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

4. **Old Business**

4.1. **PAB 2015-06 TREE AND LANDSCAPE AMENDMENTS TO CHAPTER 1, SECTION 1.07.00 AND CHAPTER 4, SECTION 4.05.00**

Ms. Gibson provided a brief history of this item, which began early 2014 after struggles with implementation of the City’s overall Tree Ordinance and Landscaping code (Section 4.05.00). She stated overall the Tree Ordinance and Landscaping section is working well for the community, but there are some minor issues that need to be tweaked. These included the following: the need to allow for replacement trees at a smaller diameter at breast height, remove the landscaping tables that identify different trees, code didn’t clearly articulate the direction of the Comprehensive Plan to use water conservation measures, root barriers to protect utilities, establish standards for free standing signs with respect to landscaping, screening equipment, retention/detention ponds, and fertilizer/pesticide management. Ms. Gibson reported that staff meets regularly with Nassau County planning staff and they requested the City mirror Nassau County’s policies for buffering along the Amelia Island Parkway. She explained they formed a small working group to look at the overall tree and landscape ordinance (met last spring through July 2014). She briefly commented about how the group identified both the positive aspects of the current ordinance as well as negatives. She stated beyond the code amendments the group identified a need to see more proactive enforcement of the ordinance, have consideration of a citizen action group to guide and implement the Tree Ordinance, and create a citizen brochure/guide with tree permit requirements and information of the benefits of trees. She reminded the board that it reviewed this in October 2014 for the first time and there were changes to the tree replacement range, modification to the term “natural mulch”, and the increase amount of tree retention inches surrounding residential and

non-residential property requirements. She explained the PAB asked staff to work with a local architect to come up with some mock drawings of potential site designs utilizing the proposed changes. She commented it was discovered that makes it difficult to work with on undeveloped sites given the other site design requirements so they took that out and left it as it currently is with respect to the inches required. She stated they found an approach that would foster retention of the healthiest trees on a given site using a credit system, which retains mature trees on a given site and they can design with the trees in mind. She pointed out these code amendments were brought to the board in May 2015, and the board requested additional time to analyze the code revisions. She explained staff felt these amendments reasonably accomplish the wishes of staff for implementing the plan as well as those of the working group. She commented it provides a clearer understanding of how the City intends to protect its urban forest and it gives specific direction for the landscape requirements. She stated as we move forward with the implementation of these amendments she would agree the creation of a brochure or small technical guide to provide better information to the public explaining the City's Tree Protection Ordinance and landscaping requirements is something we need to do.

Member Occhuizzo referred to the terminology and inquired if the retention inches were the diameter at breast height (DBH) figure. Ms. Gibson replied yes. Member Occhuizzo questioned palm replacement allowance. Ms. Gibson stated currently there is a replacement allowance of two palms for every one tree that is required to be replaced. After a brief discussion about this, the board discussed the best way to proceed with the review of the proposed amendments.

Member Ross commented there wasn't a definition of how much would apply to buildable land that was still available, and how much would apply to redevelopment. He expressed his appreciation of the time staff has spent on this. He stated he didn't think the common man reading this Ordinance can understand it in many ways. He expressed his concern about writing an Ordinance that in many ways is unenforceable. Ms. Gibson stated she felt in general the code was easy to understand, and there has been some restructuring of it to make it flow better. She pointed out overall the Ordinance has been working very well for the City. Member Ross referred to page 4-3 Section 5 and suggested either striking that language or make it applicable to all industrial zoned land. Member Beal and Member Bennett concurred that it should be either all I-1 or remove those two. There was further discussion/deliberation about whether there should be an exemption for all I-1 property. It was noted the other industrial property was zoned either I-A or I-W, which was not included in this. The board discussed that there are ways for industrial properties to have roof top greenery, but a concern was raised that it was punitive. Ms. Gibson clarified the only exemption was provided to the two mill sites. After further discussion about this, Member Ross expressed his concern that this was leaving the City open to litigation. City Attorney Bach pointed out the City has never been sued based on an interpretation of its LDC, and it has been in place for ten years. Chair Lane commented her understanding was the mills were grandfathered in. Ms. Gibson stated the City wouldn't retroactively apply the Ordinances to them. Chair Lane noted the question was whether to expand it to all industrial. Member Bennett referred to the discussion about the sign ordinance and pointed out this was singling out two users while everyone else has to comply. City Attorney Bach replied the City can do that, but the City has to be able to state the reasons for doing it. She stated the difference between this and the sign regulations was that none of this tree ordinance or regulations implicate first amendment issues while signs do. She explained if you want to make some exceptions then the reasons need to be articulated, and when staff drafts the ordinance they will say the reasons why there are exceptions for certain zoning categories. There was further discussion/deliberation about how to proceed with the proposed amendments noting the board wants mindful development with as much tree protection as possible. Concerns were raised of if the exemption was removed then the mills should be notified, because that is a change from the way it was currently written.

Member Lawrence referred to single-family home and two-family dwelling regulations on page 4-11 and noted this was saying that they have to have two trees. Ms. Gibson clarified two trees in the front yard and two trees in the backyard, which is applied to single-family and two-family development. She stated a shade tree is required for every 2,500 square feet of lot area, and at least two of those trees have to be in the front yard and two have to be in the backyard. After a review of the language, *the consensus of the board was to have this section reworded to make it clearer.*

Member Beal briefly expressed his concern about the requirement of having to have at least one tree in the front. Ms. Gibson explained it was written this way, because staff was seeing at least two trees on every single lot in the front yard. Member Beal commented one tree per 2,500 square feet is about 16-17 trees on an acre site, and expressed his opinion that sounded like a lot. He referred to 4.05.06(A) 10% of land in the Central Business District shall be landscaped and stated that sounded like a lot. Ms. Gibson pointed out the current requirement is 20%. He also referred to 4.05.06(B) of one tree per 1,500 feet for nonresidential property and pointed out the Walmart and Winn Dixie site was 19.52 which would be 567 trees for that site. He stated there was a requirement of 100 square feet per tree for planting, and that sounds onerous. Ms. Gibson explained that these were existing standards today. Chair Lane pointed out the working group looked thoroughly at these and part of the problem is the City is losing the canopy very quickly with these large developments. She stated it's meant to be restrictive in order to save the canopy. There was further discussion about the requirements and how trees can combine with storm water management. The board discussed the reduction of planting area for a canopy tree to 250 square feet from 400 square feet, which was based on analysis if 250 square feet would be enough to accommodate the growth. There was also discussion about the requirements related to the planting requirements in the right-of-way and outside of the right-of-way. It was noted that a section of the code applies to redevelopment of properties requiring compliance with the landscape code.

Member Occhuzzo pointed out that if a 30 inch tree is cut down and replaced with ten 3 inch trees they are not going to do the same job as that one 30 inch tree is going to do. Member Morrill questioned why the planting area was reduced from 400 to 250 square feet. Ms. Gibson replied the group found it was requiring too much land area for that tree to grow properly. Member Morrill commented the 8<sup>th</sup> Street group has talked about roof gardens, and they felt the presence of roof gardens in nonresidential area shouldn't be able to serve as meeting the landscaping requirement because no one could see them or enjoy them. Ms. Gibson commented it is very expensive to have an engineered green roof (roof top garden) and that should be able to count towards your minimum landscape requirements. There was a brief discussion about roof top gardens. There was a review and brief discussion about the definition of protected tree having a diameter of 5 inches or greater at breast height. Ms. Gibson briefly explained that underbrush and trees less than 4 inches in diameter at breast height were allowed to be removed without a permit. It was suggested that DBH be spelled out the first time it was used in the code.

The public hearing was opened at this time.

Ms. Berta Arias, 563 Santa Maria Drive, representing Amelia Tree Conservancy, commended Chair Lane for trying to bring a vision of what maritime canopy does for this island. She also thanked Ms. Gibson for inviting them to be part of the process of the Ordinance as it was being written. She requested to be part of a committee to look into more detail of what is there, because there were some inconsistencies from what they recommended.

Mr. Steve Mason, 2418 Pirates Bay Drive, referred to Member Beal's comments of trees per unit area and stated in his experience most civil engineers mark all survey maps in terms of acreage. He pointed out 2,500 square feet equals .058 acres, and it might translate over easier with people working off survey

maps. He noted there have been a lot of sales lately and recommended escalating that number as the acreage goes up.

Mr. Robert Gregor, 1306 Autumn Trace, explained he is a civil engineer and commented the goals of the document were impressive. He pointed out a few inconsistencies and grammatical errors such as Section 4.05.02 "Certified Arborist" is introduced and later when arborists are discussed it is an "ISA Certified Arborist". He suggested that it should be consistent throughout the document to make it clear. He recommended considering an arborist familiar with working in the built environment. He questioned if the intent was to have "tree inventory" and "tree survey" to be the same thing. He pointed out an arborist can tell you where the trees are, specifically what the tree is, and the health of the tree. He stated a surveyor can tell you there is a tree there and the size of the tree. He briefly spoke about the service life of a tree and questioned the requirements about this and plant compatibility. He referred to 4.05.01 and commented he thought it was ambiguous. He pointed out there was nothing that talks about clustering of trees. He referred to 4.05.07 about visual barriers and questioned if law enforcement was asked if they need lines of sight into parking lots. He agreed with Member Occhuizzo that large trees works differently than a smaller tree (hydrology and it changes habitat for wildlife). He briefly explained there was nothing discussing root pruning and other best management practices that the City might want to encourage.

Mr. Arthur Hermann, 2116 Belvedere, stated he worked with the group on this. He referred to the caliper size and expressed his opinion having a single number was not the way to go. He suggested having 2.5 inches to 3 inches. He expressed his concern with implementing this to oversee it, because if you don't have eyes out there the project can run away. He suggested the City employ an arborist or establish a Tree Commission to keep an eye on what is going on. He referred to the discretion of the City Manager/staff and recommended making it clear they should get the advice of an arborist or Tree Commission.

Mr. Philip Chapman, 2120 Florida Avenue, commented the mills are right on water and excluding them is saying they don't have to protect the island. He stated it would be nice if they remodel and have to put trees on their property to take care of the CO2 from trucks and pollution. He encouraged the board to strike the exclusion for the mills.

Mr. Mason inquired if a study was done on oxygen production per tree. Chair Lane stated some of the backup information the group used had oxygen production and a number of things. Mr. Mason suggested looking at the wind protection per tree.

Mr. Robert Gregor referred to I-1 and pointed out they have the opportunity for a variance if they come in with legitimate reasons why they can't do something. He commented that is an option rather than have an exclusion from the code. He referred to retention and detention section for development and suggested that should apply to redevelopment and landscaping could be done in those areas.

Ms. Diana Hermann, 2116 Belvedere, noted the need for some more clarification in the Ordinance and maybe some changes. She offered to volunteer on the Tree Commission, and concurred the City needed an arborist. She stated the Amelia Tree Conservancy would like to help offset some of the cost of an arborist. She commented the document needs to be made a little more user friendly.

Mr. Shannon O'Connor, 2440 Lynndale Road, principal owner of Amelia Island Industrial Park (mostly airport oriented) and commented his understanding the zoning for the mills and the Airport was the same with the exception of height. Ms. Gibson clarified I-A are the properties that surround the Airport and I-1 is the Airport itself. Mr. O'Connor pointed out one has lodging and one does not. After a brief

discussion about the zoning surrounding the Airport, Mr. O'Connor explained on his parcel they do their best to keep trees there especially the live oaks. He commented the tree issue for destruction is greater in residential development than it is in commercial. He expressed his concern about properties being developed under the County guidelines and then being annexed into the City because that bypasses these requirements. He explained he was in favor of the Tree Ordinance, but he didn't want to be overburdened by it when he was trying to develop a piece of property with clean industry. He briefly commented about the City Airport should not be exempt and take out trees beyond their needs, because they should have to comply with the rules also. He stated if the Airport was exempt then he would ask that his property be exempt as well, but he would keep what trees he could. He inquired what happens when someone does a zoning change (residential to commercial) and the impacts of that. He pointed out St. Johns Water Management District does not like growth in ponds.

Ms. Margaret Kirkland, 1377 Plantation Point Drive, representing Amelia Tree Conservancy, explained they presented some demands to the City and County Commissioners at their Joint Local Planning Agency Meeting on August 27<sup>th</sup>. She stated they want a viable, enforceable plan which represents best practices. She suggested the idea of planning buildings around the trees. She requested to have these things incorporated into the Ordinance.

Mr. Mason briefly commented about industrial/hazardous materials and suggested taking soil, air, and water samples. Chair Lane questioned the board of whether to go forward with the proposed changes to work on the next version to make it tighter. She reminded the board the City Commission would make the ultimate decision on this, and there were open issues including the exemption. Ms. Gibson noted that monitoring has been brought up and as staff they review the site plan for commercial development or residential subdivision to help get design to preserve healthy mature trees on a property. She stated staff does go out there regularly to monitor, review, and inspect. She explained with Coastal Oaks Planned Unit Development (PUD) their strategy was to have home sites that work with the trees. She pointed out site planning for the roadways worked around trees and had arborist evaluate their canopy to determine where it made sense to adjust things.

Ms. Julie Ferreira, 501 Date Street, stated she didn't see in her overview of the proposed changes that a private owner would be required to have a conservation plan to design the site around trees and questioned if this can be included. She expressed her opinion that this Ordinance was not user friendly, and explained it should be in plain English so there are no ambiguities. She referred to pruning and questioned if 30% of a tree could be taken out in one year. Ms. Gibson replied yes and pointed out that was in keeping with best management practices. Ms. Ferreira suggested looking at this and maybe 20% would be better, because a tree is slow to heal. She encouraged the City to get a GPS inventory both public and private to know the location and size of trees including the health of the tree.

Mr. Colin Campbell, 2651 Robert Oliver Avenue, representing WestRock, referred to 4.05.02(D)(5) and requested if the board were to strike that paragraph to talk to the two mills to find out how that would impact them. He commented they are significant stakeholders and they would like to be a part of the process.

The public hearing was closed at this time.

Member Lasserre recommended 4.05.02 having a tree survey by a surveyor and a tree inventory by certified arborist for every new project that comes in. He provided some comments in support of this, and that a full-time arborist in the City would be great if it could be supported. He referred to shrubbery in the right-of-way from a commercial development and stated it is a hazard. He explained he likes having a

visual buffer, but it makes it difficult to see pedestrians on a sidewalk. Member Morrill pointed out that this Tree Ordinance would be for half the island, and agreed with the comment that the problem was residential development. He commented annexation is the vehicle to attach a more reasonable Tree Ordinance to any development on Amelia Island. There was some discussion about this idea of requiring following the City's Tree Ordinance as part of the annexation agreement. It was noted that the City Attorney was researching for the City Commission if it could be done for the entire Land Development Code. The board had some deliberation about how to proceed with the proposed amendments. It was noted Ms. Gibson would work on the changes discussed at this meeting and send out the draft for the PAB to review. The larger issues could be addressed at a later point. Members would provide comments to Ms. Gibson by email and those would be compiled to share with the entire board. The mills would also be notified of the changes. **A motion was made by Member Occhuizzo, seconded by Member Ross, to postpone the item to the October meeting. Vote upon passage of the motion was taken by ayes and nays and**

The board took a brief recess at this time.

#### **4.2. PAB 2015-11 Comprehensive Plan Amendments to Recreation + Open Space Element**

Ms. Burke explained these were proposed amendments to the Recreation and Open Space Element in the Comprehensive Plan based on the master planning that was directed by the Comprehensive Plan. She stated this language went to the Department of Economic Opportunity (DEO) informally as part of the grant process, and it would go as a formal package after the City Commission takes action at first reading. She pointed out it updates 6.01 that talks about doing a master plan to reference the plan, and language was added in to highlight existing park facilities as specific venue based facilities. She stated it also emphasizes neighborhood access to certain park facilities. She referred to policy 6.03.04 and explained it was amended to specifically reference City Charter language regarding the transfer, sale, or lease of recreation facilities. There was a review and discussion of policy 6.04.08 regarding neighborhood serving parks. It was noted the City would want to make sure everyone had a neighborhood serving park before adding to other existing parks.

Member Lasserre disclosed he represents the group that owns the property identified on the poster and on the recreation master plan (property by the Ybor Alvarez sports athletic fields). Ms. Burke noted this would be a good acquisition site for the City to expand the sport field.

Member Bennett referred to 6.06.08 and questioned if this precludes the acquisition of property by other means. He inquired if the only way the City was going to have additional park land is through impact fees. Ms. Burke replied no and pointed out this policy was recommended by the State. The wording was changed to reflect construction of facilities directly serving the new development would be funded by new development.

Member Bennett referred to 6.03.04 and questioned why this language was added. City Attorney Bach explained this was a cross reference. Ms. Burke pointed out the City Charter requires it go to referendum. Member Bennett referred to the Parks and Recreation Master Plan and commented it appeared they were wiping out the ball fields at Central Park. He noted Atlantic Recreation they wanted to turn it into an aquatic park of some sort. Ms. Burke clarified they were not eliminating the existing uses, but would add an aquatic park facility. Member Bennett expressed his concern with the references to Venice Beach, California. Ms. Burke pointed out that most of the properties surrounding Main Beach are zoned C-1 (commercial), which will eventually be developed with that type of use. She clarified the potential uses could include new concessions, restaurants, and shops. Member Bennett questioned if the intent was new

would remain in the interim. He explained they were annexing the whole property because they didn't want to leave an outlier.

The public hearing was opened at this time and there being no comments from the floor the public hearing was closed. **A motion was made by Member Occhuizzo, seconded by Member Bennett, to recommend approval of PAB 2015-13 to the City Commission requesting that a voluntary annexation into the City limits be approved assigning the mixed use/MU-1 land use and zoning category as described; and that PAB 2015-13 as presented is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan, and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

**4.1. 2015-06 LDC Amendments Tree and Landscape Section 4.05.00** - Ms. Gibson explained information pertaining to the tree update was available online ([www.fbfl.us/treeupdates](http://www.fbfl.us/treeupdates)). She referred to the changes that appeared as blue and were underlined, and explained they were reflective of the comments received at the last PAB meeting in September as well as changes received through public comment. She pointed out there were also grammatical clarifications made and revisions to make it clearer. She explained the Chapter 11 changes were discussed with the PAB in 2014, and clarified it was to allow for the City to cite penalties against a tree contractor not just the property owner. She referred to Section 4.05.07 parking lot landscape and stated it included a reference to the visibility triangle that was in Chapter 7 (7.01.08) so you don't end up with landscaping along the perimeter that would present problems overtime.

Member Morrill referred to the reference to the City Manager or his/her designee and inquired if that was standard. Ms. Gibson replied that reference is included throughout the code, and pointed out staff are the people that actually oversee this document. Member Bennett questioned the change to the International Society of Arboriculture (ISA). Ms. Gibson explained it is the most widely accepted society to receive a credential to become an arborist. After a brief discussion about this, it was noted that arborists are not State licensed unless they are a contractor.

Member Ross inquired if the mills were contacted about Section 4.05.06. Ms. Gibson replied yes and their written comments were placed on the website. Member Morrill questioned the application of this to an individual homeowners, new homeowners, or homeowners in certain areas. Ms. Gibson stated it does exempt you from preparing a landscape plan for a single family home site. She explained if you are removing trees it would require obtaining a permit of any tree in excess of 5 inches in diameter at breast height. She pointed out commercial properties require the submission of an irrigation plan and documents specific to the landscape plan and design requirements. She explained single family home site require at least two trees in the front, two trees in the back, and at least one tree for every 2,500 square feet of lot area. She stated the existing document was working very well for the City since 2006 and these were minor tweaks to help clarify and make it realistic for what staff has been doing in practice.

City Attorney Bach stated she didn't think the ISA limits, because there is a Florida ISA certification program. She explained when she looked up arborist ISA was the only thing that comes up. She pointed out the Florida ISA certification there was a Florida specific exam and environment questions. There was further clarification about the ISA certification.

Member Occhuizzo explained he received an email from a concerned citizen regarding Section 4.05.00 – ensuring local stock of native trees and vegetation is replenished, because native oaks are slow to grow and a mature canopy is unreplaceable. Member Ross inquired why cypress mulch was strongly discouraged. Ms. Gibson replied cypress trees are very difficult to grow, and the use of cypress mulch

encourages the destruction of cypress forests. Chair Lane expressed her thanks to staff and reminded the board that this is a living document that is meant to reflect the City and the citizenry.

The public hearing was opened at this time.

Mr. Steve Mason, 2418 Pirates Bay Drive, briefly spoke to the ISA certification. Ms. Gibson explained the preference was to have arborists certified in the USA.

Ms. Berta Arias, member of the Amelia Island Tree Conservancy, extended thanks to Ms. Gibson for including the concerns of the community. She commented we should prefer a Florida arborist certified by the ISA. She inquired if there was a Tree Commission. Ms. Gibson replied there was not the establishment of a Tree Commission, but that can be completed independent of the Ordinance. It was pointed out the Tree Conservancy was concerned about the fact that staff is understaffed, and there are citizens that would love to be part of a Tree Commission along with the experts. Further comments were made in support of forming a Tree Commission to help maintain the maritime canopy. Chair Lane pointed out any volunteer organization cannot take action, but they can recommend action.

Mr. Russell Schweiss, representing Rayonier Advanced Materials, referred to the exemption for the mills in the Ordinance and commented since the Ordinance was focused on preserving the maritime canopy or the urban forest the mill's site has never had a tree on it. He explained in the 1930's when the mill was recruited to come here they filled to create land there, and stated it was hard to preserve what wasn't there. He pointed out the two mills are unique land uses even within their zoning category. He explained the mills are also subject to a regulatory regime that is quite different from any other land user including Occupational Safety and Health Administration (OSHA) and homeland security. He commented there is the potential for incompatibility with the Ordinance and those regulations. He pointed out if you require the mill as they complete a construction project to line that project with trees that creates line of sight issues, which is a concern from a security and safety perspective. He stated the property has one area that has trees on the northeast portion of the property, and commented the City has approached the mill about this property for a retention pond in support of waterfront projects. He explained the mills pushed back on that request, because the trees provide a nice buffer between their use and the surrounding town.

Mr. Colin Campbell, representing WestRock, concurred with the comments from Mr. Schweiss. He stated they have potentially conflicting regulations that they have to follow for the safety of the workers on the site as well as the security of the site from the public. He explained the mill worries about those incompatibilities coming in, and expressed his opinion that was why we've had these exclusions in the past. He pointed out he submitted comments to Ms. Gibson about these amendments.

Ms. Jennifer Schriver, 833-A Tarpon Avenue, noted that the International Society of Arboriculture (ISA) is the premier care organization in the world. She stated as an international organization their goal is to provide the best services and programs at both the international and local levels. She explained she thought it was a good suggestion to keep that in there.

Ms. Julie Ferreira, 501 Date Street, representing the Sierra Club, commented back in 2005 we were concerned that the Ordinance required all trees over 3 inches to be shown on the survey, and then that changed to only protected trees. She inquired if that was still the way it was. Ms. Gibson replied it is any tree over 4 inches. Ms. Ferreira inquired if for single-family or duplex you could clear in your footprint, but anything outside of the footprint has to be maintained. Ms. Gibson stated within this Ordinance you can remove anything within the construction footprint and 5 feet surrounding the construction footprint is allowed to be removed. She explained when it is shown on the survey those inches are calculated and an

exemption of 80% of those inches is provided to that site. She stated 20% of those inches have to be mitigated for onsite through existing trees or replacement. After a brief discussion about this, Ms. Ferreira suggested there be something for trees of significant value due to their size and age. Ms. Gibson stated there are other mechanisms the City could look at in the future, but right now the heritage tree designation is the only thing the City has in place. She noted the Sierra Club and others suggested changes that are closely related to conservation design principles to be incorporated in this document and throughout the LDC. She pointed out those are larger structural changes that need to occur in order to properly capture them, but the purpose of these revisions was simply to try to get through some things that weren't working well within the code. She stated it turned out to be a little bit more than that based on the comments received. Ms. Ferreira suggested following Gainesville's lead for creating a definition for the appraised value of trees, and violations designated by level of severity. She questioned whether the City had enough teeth in the Tree Ordinance or does the City need to create a stiff penalty. Ms. Gibson referred to Chapter 11 and commented it is fairly severe (shall replace a one inch for one inch for any and all trees removed without authorization). There was a brief discussion about the penalties and Ms. Ferreira commented it would be nice to protect Florida indigenous landscape.

Member Morrill requested clarification of the mitigation of 20% of the footprint and whether there still was the obligation to have two trees in the front and two trees in the back. Ms. Gibson replied within that mitigation at least two of those trees have to be in the front and two in the back to meet the minimum landscape requirements. There was some discussion about replacement trees and penalties for trees taken down.

Mr. Clinch Kavanaugh, 102 North 6<sup>th</sup> Street, inquired if under this Ordinance all trees are created equal. He questioned if a hackberry would be the same as a white oak. Ms. Gibson replied it is, and explained it would still need a permit to cut it down. She stated a non-native or invasive tree does not need a permit for removal, and a list of these trees is available through the Florida exotic and invasive council. Mr. Kavanaugh stated he has a water oak next to his house, and water oaks have very shallow root systems. He commented every time it rains he lives in terror about where this tree is going to fall, and he was perplexed with what to do. Ms. Gibson pointed out dying, diseased, or could become a hazard to the property are allowed to be removed with no replacement requirement. She stated the proposed change to the Ordinance would allow staff to evaluate where those trees are removed that you would have to at least replace with the minimum landscaping. She briefly related an example to clarify this further. There was a brief discussion about this.

Ms. Schriver inquired if the list of native species could be added in the Ordinance. Ms. Gibson stated the list itself has been excluded, and the reason it was excluded was that the resource list updates regularly. Ms. Schriver noted the canopy provides a benefit to the island, and questioned at what point does a scientific approach need to be taken to understand that value. She commented the maritime structure of a root system is very compact and it helps to stabilize terrain. She pointed out if you are building on top of that it actually provides more structure and support to that ground system. She inquired at what point in the process or in future processes should we get science based information presented. Ms. Gibson stated it was discussed whether or not to place particular values on certain species of trees through this effort, but it was chosen not to go that route mainly because they aren't looking to make large changes to this document. She explained the purpose was to correct minor deficiencies, but she would like to try to incorporate things like that in the future along with conservation site specific design principles. Ms. Schriver referred to the Kingfisher and 5<sup>th</sup> Street residential house and commented it was a good model for citizens to see how a residence can be built within a system. She requested staff to speak to tree trimming. Ms. Gibson explained there are regulations specific to tree trimming and practices that need to

be abided by when trimming trees. Ms. Schriver questioned if utility line trimming of trees was covered. Ms. Gibson stated it was not covered under this Ordinance, because it was covered under State law.

Ms. Ferreira referred to tree pruning and noted the current language was 30% of the tree can be removed within any year period. She commented that seemed pretty drastic for a tree, and suggested that it be up to 20% allowable. Ms. Gibson stated the Ordinance as written today does not have that language in there at all. She pointed out it has language specific to pruning, but in the revisions she cited that pruning shall comply with current ISA standards and that no more than 20% of the crown shall be removed in a one year period. Ms. Ferreira suggested that trees of significance be on a tree survey/inventory including the size, genus, health, etc. Ms. Gibson stated the health of it is not a requirement, but the size and the species are required. There was a brief clarification of a tree survey versus a tree inventory. It was noted that when Ms. Gibson reviews surveys anything above 20 inches she highlights.

Ms. Ferreira commented the Sierra Club would love the City to preempt the State and ban cypress mulch. She pointed out some communities require photo documentation of trees being taken down. Ms. Gibson stated within the permit requirements it requires photo documentation of all trees in excess of 5 inches in diameter at breast height. Ms. Ferreira briefly commented about people that take trees down on the weekend and that some communities have a penalty that if the owner couldn't prove otherwise the trees would be deemed to be 24 inches and they would have to pay/mitigate for that tree.

Mr. Phillip Chapman, 2120 Florida Avenue, questioned the rationale behind two trees in the front and two trees in the back. He commented with this it could take away one of the things we treasure, which is our view. He suggested this part of the Ordinance needs to be reexamined. Ms. Gibson stated this function was currently in the code, and the only change was elevating it from one tree to two trees. She explained she didn't have a problem if this requirement was stricken. Mr. Kavanaugh concurred with Mr. Chapman, and commented more people will want to do solar power so we need more flexibility. He provided further comments about this.

The public hearing was closed at this time.

Member Beal stated he was in favor of removing two trees in the front. Member Occhuzzo concurred and suggested the City Commission consider establishing a Tree Commission to help out. Member Ross inquired if you can get a variance from this. City Attorney Bach replied yes. Member Ross questioned where in the Comprehensive Plan it says a specific landowner can get an exemption from the LDC (Rayonier and WestRock). City Attorney Bach replied there was no policy in the Comprehensive Plan that she knows of that says we would exempt specific landowners. Member Ross inquired if this exemption was included would it contradict the Comprehensive Plan. City Attorney Bach reminded the board the Comprehensive Plan is general, and stated she was not going to agree that it is inconsistent with the Comprehensive Plan that there is an exemption. She noted there wasn't a reason why the two mills with specific reference to the corporate names should be there versus industrial uses or certain types of industrial uses. There was further discussion about why this was not inconsistent with the Comprehensive Plan. The board had a discussion whether there should be an exemption for industrial properties, but there was a concern of these properties being able to cut all the trees down. Member Ross suggested deleting Section 4.05.02(D)(5).

Member Lasserre commented with smaller lots had staff considered if four trees were too much as the trees mature. Ms. Gibson stated the suggestion to change it was mainly staff was seeing more than one tree in the front yard and one tree in the backyard. Member Lasserre explained he wasn't sure there was enough time to vet striking the paragraph with the mills. He reminded the board this was intended to be a

minor revision and it has turned into a major revision. He stated that change needs to be explored thoughtfully and carefully. Chair Lane concurred that this has gone from a minor change to a major change from the original one. She expressed her concern with people wanting to add on things. She commented she rather have an 80% solution, because it was never going to be 100% perfect. Member Morrill inquired if the board could vote on this absent the exemption. City Attorney Bach pointed out that exemption already exists in the code, and clarified the only change was changing Smurfit-Stone to WestRock. The board had further discussion and deliberation about whether to leave the exemption or remove it. Some members expressed their opinion that the mills have the ability to seek a variance and the City shouldn't have an exemption that was unfair to other property owners in the same zoning category. It was noted there was no impact to the existing property unless there is new construction. **A motion was made by Member Occhuizzo, seconded by Member Ross, to approve PAB 2015-06 LDC Amendments Tree and Landscape Section 4.05.00 as presented with the elimination of paragraph 4.05.02(D)(5); and to change 4.05.05(A) to say "at least four trees shall be located on the property"; and that PAB 2015-06 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time.. Vote upon passage of the motion was taken by ayes and nays and was as follows:**

<b>Member Ross:</b>	<b>Aye</b>
<b>Member Lasserre:</b>	<b>Aye</b>
<b>Member Beal:</b>	<b>Nay</b>
<b>Member Rogers:</b>	<b>Aye</b>
<b>Member Bennett:</b>	<b>Aye</b>
<b>Member Occhuizzo:</b>	<b>Aye</b>
<b>Chair Lane:</b>	<b>Aye</b>

**Motion carried.**

**5. New Business**

**5.1 PAB 2015-13 Annexation, Land Use, and Zoning Change for properties located at 3133 and 3141 Bailey Road** –The board deviated from the agenda and heard this item first under Old Business.

**5.2 PAB 2015-12 LDC Text Amendment Chapter 5 Signs** – City Attorney Bach explained these were the proposed changes to the sign code, which was to take out what needed to be taken out. She stated staff recommended approval of the changes, and pointed out they would go through the rest of the sign code over the next few months to see if there were any other places that need to be addressed. She pointed out this change was for the temporary sign issue that the Supreme Court dealt with in the Reed case.

Member Ross referred to prohibited signs (5.03.05) and questioned if signs with lights meant the "Open" signs that are at numerous places. Ms. Gibson replied no. City Attorney Bach clarified it was movement of light that this section was referring to. The board had some discussion about banners and the signs that have been placed on utility poles. There was further review and discussion of prohibited signs including a clarification of abandoned signs. It was noted that the definitions needed to be reviewed during the larger review of the sign code.

Member Ross referred to 5.04.04 definition of sign and inquired if a cross was a sign. Ms. Gibson replied a cross itself would not be a sign. Member Ross questioned the meaning of the sentence "temporary sign shall not include any substitution of the message ....." City Attorney Bach clarified this means temporary



600 North 8<sup>th</sup> Street  
Fernandina Beach, FL  
office: 904.277.5746  
colin.campbell@westrock.com

Dear Kelly,

The following is WestRock's comment regarding the Tree and Landscape amendment discussion during the 9-9-15 PAB meeting in which a board member discussed removing item 4.05.02.D5.

WestRock respectfully requests that the exemption detailed in Tree and Landscape Amendment 4.05.02.D5 remain in its entirety.

Item 4.05.02.D5 was not identified as a potential change during the more than yearlong review process. Thus the ability to review and understand the impact of removing this item was not provided to WestRock. Furthermore the parties detailed in the exception were not contacted for comment or discussion regarding the impact that removing the exception would have on their businesses.

Based on the above reasons we request that this late talking point be dismissed until such time as a meaningful conversation can occur on the topic.

Sincerely,

**Colin Campbell, CSP**  
Training / Community Relations Manager



600 North 8<sup>th</sup> Street | Fernandina Beach, FL 32034  
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colincampbell@westrock.com | [www.westrock.com](http://www.westrock.com)

**From:** [julie ferreira](#)  
**To:** [Kelly Gibson](#)  
**Subject:** tree ordinance  
**Date:** Sunday, September 20, 2015 1:26:36 AM

---

Kelly, as the Chairperson of the Nassau Sierra Group I submit the following.

**Our executive committee feels that it is important to have a good introduction at the beginning of the tree ordinance and hence have developed the following:**

*A healthy urban forest is the product of a biologically intact ecosystem and a community that recognizes the importance of its natural functions. Since urban forests have been recognized as an integral part of our community's well-being, having an urban forest management plan for Fernandina Beach is essential.*

*Trees add scientifically measurable benefits to our neighborhoods. Trees offer us energy savings because of the shade they provide. They reduce storm water runoff and soil erosion by intercepting rainfall. Trees increase air quality by absorbing pollutants and by releasing oxygen into our atmosphere. Trees preserve wildlife habitat, enhance property values and provide a sense of identity and tradition in our neighborhoods. In addition, trees add to the quality of our lives by beautifying our community. In particular, our native oaks are uniquely suited to our soils and environment, offering particular pleasure through their stunning architecture.*

*Many of the native oaks in Fernandina Beach date back hundreds of years, and are historically significant. Many of these trees, which still exist in our own backyards and public areas, were the source of food, tools, heat and shelter for the Native Americans that preceded our civilization. Other trees, throughout our city, were planted and/or rescued by some of Fernandina's earliest settlers. The City Commission has determined that such a valuable resources merit protections. This protection is clearly stated in the **Tree Preservation Ordinance** within the Fernandina Beach Land Development Code.*

*As a tool to strive to attain a healthy, vigorous, and well-managed community forest the goals of the Fernandina Beach tree ordinance are:*

- To maintain and enhance the public and private urban forest cover by preserving stands of trees and "specimen" heritage trees.
- To reduce tree loss during development by encouraging site specific design
- To stop any possible damage to standing trees during construction
- To protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This ordinance shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation
- To provide for replacement of trees that are lost due to construction
- To maintain preserved trees after construction is completed
- To plant trees where none occurred previously
- To maximize the well-being of residents and visitors by creating a safe and attractive environment

*Thank you,*

*Julie Ferreira*

*Nassau County Sierra Group Chairperson*

**From:** [julie ferreira](#)  
**To:** [Kelly Gibson](#)  
**Subject:** FW: FB tree ordinance  
**Date:** Sunday, September 20, 2015 3:14:22 AM

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Kelly, as the Nassau Sierra Group continues to work on the tree ordinance, we will send more comments as they are ready. Here are our current comments.

We would like to see site specific design language added to our tree ordinance. We encourage the use of language adopted from Ordinance Number 2724-07 Section 58-285 (Criteria for Issuance of Tree Removal Permits) from the Winter Park, FL Tree Protection Regulations.

Sierra Club encourages the city to follow the suggestions of the Amelia Tree Conservancy regarding the establishment of a tree protection commission and the hiring of a ISA Certified city arborist (which has no other conflicts of interest by being associated with any commercial tree service).

We feel very strongly that sound stewardship of our urban and community trees into the future demands employing the services of a dedicated city arborist sooner than later.

We support the City in continuing the GPS mapping system. We feel that a completed tree location map will be critical to the city's successful preservation efforts in the future.

We ask that the city maintain a tree inventory with the ability to track tree health which would indicate the general health assessment of each hardwood tree (especially specimen or heritage trees) on public and private property. We feel this is necessary to proactively manage Fernandina's urban forest. This would include the necessary pruning schedules, necessary trunk-injected systemic insecticides to prevent dieback, etc. and be the map that a city arborist could work from to preserve Fernandina's trees in a changing ecological world due to plant diseases and climate change. The inventory would provide at-a-glance locating to

help highlight issues and track the methods used for managing individual tree issues.

We suggest the city monitor the urban canopy at least every 3 years to track changes in health, sizes, species and coverage.

Thank you,

*Julie Ferreira*

*Nassau County Sierra Group Chairperson*

**From:** Julie Ferrara  
**To:** Holly Gibson  
**Subject:** Tree Ordinance  
**Date:** Tuesday, September 22, 2015 3:04:43 PM

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**Nassau County Sierra Group is of the general opinion there need to be enforceable requirements.**

**Chapter 1 definitions**

**Protected trees:**

Protected trees are those five inches or greater in diameter at breast height or any tree that was planted or preserved in compliance with an approved development order or to mitigate the removal of a regulated tree.

**Under "E" Maintenance:**

Replacement tree(s) shall be maintained and warranted to survive for a period of one year from installation. Trees not deemed to have satisfactorily survived shall be replaced with new trees of the same size. Replacement trees shall comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of planting.

**Follow Gainesville's lead creating a definition for appraised values of trees:**

Tree appraised value means the dollar value to the city of a tree on private or public property used for the purpose of calculating cash recompense for removal or destruction. The tree appraised value shall be calculated as follows:  $(3.14) \times (\frac{1}{2} \text{ diameter breast height})^2 = \text{trunk area (trunk area)} \times (\text{unit factor for square inch price, as determined annually by the tree advisory board in consultation with the city commission, city arborist, or designee}) = \text{square inch value (square inch value)} \times (55\% \text{ diminution rating}) = \text{tree appraised value}$  Example calculation: 20" Live Oak in fair or better condition:  $(3.14) \times (\frac{1}{2} \times 20)^2 = 314 \text{ square inches of trunk area (314 sq in)} \times (\$40) = \$12,560 \text{ square inch value } (\$12,560) \times (.55) = \$6,908 \text{ tree appraised value.}$

**Definition needed for fair or better condition:**

Fair or better condition means that the tree has a relatively sound and solid root, trunk, and canopy structure, no major insect infestation or pathological problem, or problems that cannot be remedied with cultural practices, and a life expectancy greater than 15 years as determined by the city commission, tree preservation committee, city arborist, or designee. In the event of a disputed health condition, the condition rating system outlined in the latest edition of the Council of Tree and Landscape Appraisers Guide for Tree Appraisers shall be used by the city commission, city arborist, tree preservation committee, or designee to evaluate the health condition. A score of 50 or higher shall qualify a tree as fair or better condition.

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(City would determine what constitutes the differing levels of violations)

**Tree Ordinance violations shall be designated by level based upon the potential monetary sanction as follows:**

1. Level A violations shall be subject to a fine of \$75—\$500.
2. Level B violations shall be subject to a fine of \$250—\$2,500.
3. Level C violations shall be subject to a fine of \$500—\$5,000.
4. Level D violations shall be subject to a fine of \$750—\$7,500.
5. Level E violations shall be subject to a fine of \$1000—\$10,000.

**In relation to monetary sanctions— Folsom California has a very clear section in their municipal code re: Administrative Enforcement Procedures, Rights to Hearings, Judicial Review, and Enforcement of Monetary Sanctions. We suggest the Fernandina Beach follow their language-ing which is very clear.**

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**from Gainesville ordinance:**

**4.05.15 Heritage Trees**

Heritage trees are trees that are larger than 20 inches diameter breast height; except for Water Oaks (*quercus nigra*), Laurel Oaks (*Quercus hemispherica*), Sweetgums (*Liquidambar styraciflua*), Loblolly Pine (*Pinus taeda*) and Slash Pine (*Pinus elliottii*) which become heritage trees only when they are larger than 30 inches diameter breast height.

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**4.05.15 Heritage Trees Removed Without A Permit:**

If a heritage tree was removed without a permit, the required mitigation shall be subject to a level E violation.

If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then the tree shall be presumed to be a minimum of 24" protected specimen tree. It is the property owners responsibility to prove otherwise.

For repeat offenders the city has the right to double restoration requirements or fines or both for each subsequent infraction, and in addition to revoke or suspend a contractor's license to do business in the City.

The city shall have the authority to stop work at a site if unauthorized tree work is occurring. Once a stop work order is issued, work shall not commence until the necessary permits have been issued and any applicable fine has been paid.

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## **E. Replacement Tree requirements**

### **4. Mitigation**

Mitigation payment shall be based on tree appraised value. Payment shall be made prior to the issuance of any certificate of occupancy, or at such other time as specified in a development order. Mitigation payments received by the city shall be deposited in the city tree mitigation fund. This fund may be used for new tree plantings associated with public improvement projects or for the preservation of trees through the purchase of conservation lands, or to help with the salary of a full time arborist; but shall not be used for tree maintenance or toward the installation of new trees that would already be required for a development.

---

**We feel its necessary to require photo documentation of any tree(s) to be removed or pruning removed.**

#### **4.05.14 C Tree Survey**

*For single family houses or when no construction or demolition is involved:*

Applicant shall submit an accurate tree inventory drawn to scale (a hand drawn site plan may be acceptable according to the scope of project) indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The report must show the exact location, diameter, genus and species of all Heritage trees. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

*For commercial and large scale development or when construction or demolition involving other permitting is involved:*

An accurate site plan drawn to scale indicating square footage of the site, square footage of the proposed building area, square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal. The site plan shall depict any proposed grade changes and a plan view of actual protected tree(s) and protected tree canopies on site including:

1. The property lines and footprint of existing structures; and
2. The existing and proposed grades;
3. an accurate conservation site plan

4. to-scale tree inventory executed by a certified arborist with current credentials from the International Society of Arboriculture or by a licensed landscape architect indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The plan shall mark in red the surveyed location, diameter, genus and species of all Heritage trees including their canopy. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

Definition: A conservation site plan shall depict: an accurate site plan drawn to scale indicating square footage of the site, the natural resources of the site including mature woodlands, maritime forest, wetlands, wildlife habitats, nesting areas, groundwater recharge areas, and scenic viewsheds. This would include the health and maturity of the square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal.

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**It's not clear if the following section H. Abused Trees is the best section for pruning perhaps it needs its own section.**

#### **Pruning Regulations:**

All trees may be pruned to maintain shape and promote their shade-giving qualities and to remove diseased or dying portions in areas where falling limbs could be a hazard to people or property. Tree pruning shall be done in accordance with the most current version of the American National Standard for Tree Care Operations "Tree, Shrub and Other Woody Plant Maintenance" (ANSI A300) and "Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush—Safety Requirements"(ANSI Z133).

No more than 20 percent of the crown shall be removed at one time. On young trees, limb removal shall leave no more than 33 percent of the trunk bare of branches. So that shade trees can grow with sturdy structure, the top branch or leader shall not be removed.

Hooks shall not be used to climb trees unless the tree is being taken down. Mature trees overgrowing vehicular use areas shall be pruned to allow the passage of emergency vehicles.

Excessive pruning, pollarding, or pruning of trees into round balls of crown or branches, which results in an unnecessary reduction of shade and promotes weak branch attachments is prohibited.

If the city commission, city arborist, tree preservation committee, or their designee finds same, additional shade trees shall be required to be planted on the site on up to an inch-for-inch basis, and a Level A fine shall be levied.

Most minor pruning, such as the removal of dead branches, moderate weight reduction at the ends of branches, and pruning to provide roof clearance

will not require a tree permit. In most cases, if less than 20 percent of the canopy is removed and work is confined to the outer one-third of the canopy, a tree permit is not required. **Tree topping** is **not** considered minor pruning, and is not considered appropriate tree care, as it creates an increased need for maintenance and greatly increases the potential for hazards.

Our native oaks are slow to grow, slow to die, and slow to callous over a wound. Especially for our native oaks, cuts are to be kept small. The un-written rule for oak pruning in the world of arboriculture is called the 3" rule: "A cut over 3" in diameter will generally start to decay and/or become infested with insects before it will completely callous over the wound". Any pruning that substantially modifies the shape of the tree, such as removal of major branches or trunks of multiple trunk trees, will require a tree permit. Exceptions to this rule are made for emergency situations and for utility companies engaging in routine maintenance of overhead wires.

*Thank you Kelly for all the work you have done on the tree ordinance,*

*Julie Ferreira  
Chairperson of Nassau County Sierra Club*

**From:** [julie ferreira](#)  
**To:** [Kelly Gibson](#)  
**Subject:** RE: tree ordinance  
**Date:** Tuesday, September 22, 2015 3:12:50 PM

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Kelly here are some suggestions coming from Nassau Sierra Group:

1. Sierra would like to see Fernandina adopt the definition of urban forest by the American Forests which defines urban forests as “ecosystems of trees and other vegetation in and around communities that may consist of street and yard trees, vegetation within parks and along public rights of way and water systems. Urban forests provide communities with environmental, economic and social benefits and habitat for fish and wildlife.” Thus, urban forests are not only about the trees in the city, but rather, they are a critical part of the green infrastructure that makes up the city ecosystem.

2. Sierra would like to encourage the tree ordinance to adopt a policy using conservation site designs so that natural resources are identified at the beginning of the site layout. Identifying the natural resources gives them value. Things that we value are preserved. Conservation site design also would depict how the wetlands on site, forests and other natural resources work as interactive units.

Therefore, any future construction on the site should then be laid out to avoid the natural resources and fit into the topography. This would require major revision to our code or require variances. As an example, to save a grove of trees, houses would be clustered.

Sierra feels strongly that we cannot continue to define the developable world as separate unrelated items. The language must be changed so that individual lots and areas are related to as interrelated systems.

Therefore the site design should include not just individual trees but the overall shape and health of urban the forest structure, groves of trees and the understory vegetation should be marked. Site topography should be shown so that areas of habitat (natural resources) could be preserved and would be delineated on a plan prior to any site layout.

3. Sierra is concerned that trees of significance- are being lost in our community and are not being protected on single family lots. We want to make sure that they become absolute un-removable protected assets in the community on **all** residential and commercial lots. We recommend that Fernandina as definition----- every protected tree(s) which is thirty-six (36) inches in dbh or greater and has such unique and intrinsic value to the general public because of its

size, age, historic association, or ecological value as to justify this classification.

4. Sierra would like the language changed so that the maximum allowable prune-able canopy that can be removed from any tree in one year's time be changed from 30% to 20%.

5. We request the city require photo documentation of 'any' tree(s) to be removed and also of any tree that will be pruned removing up to the 20% of the allowable canopy.

6. A small flowering tree cannot replace a high quality shade tree. (high quality shade tree would need a definition).

7. Change definition of tree inventory to include: The report must show the surveyed location, diameter, genus and species of all Heritage trees, all regulated trees of high quality shade tree species, other trees worthy of protection, and existing trees planted to comply with earlier approved development plans. On-site meetings with the city manager, tree commission, city arborist, or designee will confirm which trees shall be included in the survey and to confirm that the survey meets code requirements. The survey shall also cover matters identified as significant relative to the urban forest based on site conditions.

8. A conservation site plan shall depict: an accurate site plan drawn to scale indicating square footage of the site, the natural resources of the site including mature woodlands, maritime forest, wetlands, wildlife habitats, nesting areas, groundwater recharge areas, and scenic viewsheds. This would include the health and maturity of the square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal.

9. Commercial and large scale development: Applicant shall submit an

accurate conservation site plan and to-scale tree inventory executed by a certified arborist with current credentials from the International Society of Arboriculture or by a licensed landscape architect indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The plan shall mark in red the surveyed location, diameter, genus and species of all Heritage trees including their canopy. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

*Thank you,*

*Julie Ferreira*

*Nassau County Sierra Group Chairperson*

---

From: bordersofheaven@hotmail.com

To: kgibson@fbfl.org

Subject: tree ordinance

Date: Sun, 20 Sep 2015 01:26:41 -0400

Kelly, as the Chairperson of the Nassau Sierra Group I submit the following.

**Our executive committee feels that it is important to have a good introduction at the beginning of the tree ordinance and hence have developed the following:**

*A healthy urban forest is the product of a biologically intact ecosystem and a community that recognizes the importance of its natural functions. Since urban forests have been recognized as an integral part of our community's well-being, having an urban forest management plan for Fernandina Beach is essential.*

*Trees add scientifically measurable benefits to our neighborhoods. Trees offer us energy savings because of the shade they provide. They reduce storm water runoff and soil erosion by intercepting rainfall. Trees increase air quality by absorbing pollutants and by releasing oxygen into our atmosphere. Trees preserve wildlife habitat, enhance property values and provide a sense of identity and tradition in our neighborhoods. In addition, trees add to the quality of our lives by beautifying our community. In particular, our native oaks are uniquely suited to our soils and environment, offering particular pleasure through their stunning architecture.*

*Many of the native oaks in Fernandina Beach date back hundreds of years, and are historically significant. Many of these trees, which still exist in our own backyards and public areas, were the source of food, tools, heat and shelter for the Native Americans that preceded our civilization. Other trees, throughout our city, were planted and/or rescued by some of Fernandina's earliest settlers. The City Commission has determined that such a valuable resources merit protections. This protection is clearly stated in the **Tree Preservation Ordinance** within the Fernandina Beach Land Development Code.*

*As a tool to strive to attain a healthy, vigorous, and well-managed community forest the goals of the Fernandina Beach tree ordinance are:*

- To maintain and enhance the public and private urban forest cover by preserving stands of trees and "specimen" heritage trees.
- To reduce tree loss during development by encouraging site specific design
- To stop any possible damage to standing trees during construction
- To protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This ordinance shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation
- To provide for replacement of trees that are lost due to construction
- To maintain preserved trees after construction is completed
- To plant trees where none occurred previously
- To maximize the well-being of residents and visitors by creating a safe and attractive environment

**From:** [Margaret Kirkland](#)  
**To:** [Kelly Gibson](#)  
**Cc:** [r.raymond1@yahoo.com](#); [Berta Arias Author](#); [Diana Herman](#); [Chris Occhuizzo](#); [joannleimberg@gmail.com](#); [hart9874@aol.com](#)  
**Subject:** Revision of Ordinance 2006-14: ATC Input  
**Date:** Tuesday, September 22, 2015 2:45:39 PM  
**Attachments:** [ATC Ordinance 2006-14 input.pdf](#)

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Dear Kelly,

Please find current input from the Amelia Tree Conservancy on the revision of Ordinance 2006-14 attached. We have divided this into two sections: The **General Comments** address a) some fundamental principles we would like to see incorporated into the ordinance and b) a few items that need to be applied in multiple places in the ordinance. The **Line/Section-Specific Comments** address specific sections or lines of the ordinance.

Once you have had a chance to review this, we would appreciate your contacting us to make an appointment. There may be points that need clarification and you may have questions. However, we will also need information from you in order to develop effective proposals for the arborist and tree commission. In those efforts, it is important that we understand your needs more specifically and attempt to integrate your perspectives on various details related to these positions.

ATC greatly appreciates your extensive effort and care in developing this revision. It already contains many improvements that represent current best practices. We hope this input will be useful for you and appreciate your efforts to incorporate these points.

Sincerely,

ATC Steering Committee

Berta Arias

Arthur Herman

Diana Herman

Margaret Kirkland

Jo-Ann Leimberg

Chris Occhuizzo



**amelia tree conservancy**

## ***ATC Input on Revision of Ordinance 2006-14 (as amended) September 21, 2015***

### ***General Comments***

**One set of regulations for Amelia Island.** It is important that regulations for Amelia Island be consistent; i.e., they should be the same for both the City and County. This is critical for the survival of the trees on the Island and hence its continued economic viability. Developers should not be able to violate tree ordinances by changing the jurisdiction of the property from County to City, or vice versa. [We need to work toward this as quickly as possible.]

**Exemptions.** No exemptions should exist for any individual, company or industry. City regulations should be applied consistently.

**Working around trees within existing topography.** One of the key principles of the regulations should be that new construction should be designed to work around the trees that exist on the parcel and around the existing topography because changes in the topography often kill trees. In other words, a site plan would be “site specific,” a plan developed specifically for the topography and vegetation on that parcel. This concept has been applied in other areas and can be utilized here.

**Credentialed, knowledge-based tree decisions.** It is important that those making tree decisions have the training and experience needed to inform those decisions. [We have been told that, at one time, there was an employee who was a certified arborist, but that this expertise has been lacking since his departure.]

- **Hiring an ISA-certified arborist:** We strongly recommend hiring an ISA-certified arborist, either full time, part-time or on a contractual basis. We would like to see the City and County work together to hire an arborist for the island. It is critical that this be an individual who has no conflict of interest and can serve as the “go-to” person for all tree-related decisions in an objective, professional manner. This individual would need to approve site plans, work with developers to improve plans and participate in project oversight. The individual would also support city and county committees and staff in decision making related to trees.
- **Ordinance:** Wherever the City Manager is referred to regarding tree decisions, the proposed arborist or “tree commission” should be inserted.
- **GPS inventory of our green infrastructure:** To enable the City and County to manage our green infrastructure on the island effectively, we need a GPS inventory of the remaining trees on the island, including both public and private property. We would like to see the City and County collaborate on this effort, with the support of local nonprofits.



## **amelia tree conservancy**

**Tree Commission:** Form a tree commission to work with the arborist and developers before projects start and during the entire land development process; to participate in project monitoring and oversight; to work with city staff to develop policies for planting, tree protection, removal and conservation. This group of volunteers would include 5-7 voting members consisting of professionals in the field of arboriculture, horticulture, land development, civil engineering, city/county government and/or any other related fields.

**Oversight.** During construction, a city representative **must** check construction sites daily, meet with the contractor, and produce daily reports. (The “tree commission” could be tapped for some of this oversight.) Without oversight, the ordinance becomes meaningless.

### **Enforcement.**

- We have extensive evidence in both the City and County that incentives don't work with the current mentality of developers and property owners. There should be work stoppages, very heavy fines, liens against the property and loss of license to develop in the City for non-compliance. Penalties need to be sufficiently harsh to get the attention of those who would violate the regulations, not an amount that can just be written off as the cost of doing business. (Fines are often less consequential than we think due to their bonding.) We can suggest penalties, but feel that you are in a better position to propose these. Perhaps in the distant future an approach based on incentives would suffice.
- We feel that enforcement and penalties should be clearly explained in Plain English in this chapter (even if they are repeated elsewhere). Otherwise, the enforcement becomes disjointed from the regulations and difficult to understand.

**Education/training:** We feel that a program of education/training is essential to increase the knowledge and understanding of our maritime forest canopy and understory, how it supports our lives, and the impact we have on its ability to protect us. We feel that this is essential for commissioners; all board and commission members that deal with building, development, zoning, and regulations; all staff dealing with such areas; developers and contractors wishing to work on the Island; and Amelia Island residents. The realization of how little people know about this information has come from public statements recently made by commissioners and developers. These statements have persuaded us that this is a pervasive problem that must be addressed if our trees are to have any future. We would like to work with the City and County, experts on the subject like Robert Prager, and other nonprofits to develop this system.

**Clarity/Plain English:** It is important that all regulations be clear to non-experts in order for those in the community to bother to read them and take them seriously.



### **amelia tree conservancy**

Another reason for care with this is the limited reading skills we have in the US today. It is often difficult to ascertain the level of clarity without testing the document on non-experts. A few of the comments in the next section illustrate points that seem unclear to us.

**Caliper for replacement trees.** The caliper needs to be 2 1/2 to 3 inches DBH, not just 2 1/2. It is important to provide a range so that it is possible to actually purchase the number of healthy trees needed.

**Buffers between development and roads outside development:** We are not sure whether this is already covered in the ordinance because we are not certain about our understanding of the terminology. However, we feel that it is critical that there be an organic buffer between developments and roadways outside of the development. In other words, these buffers should look something like the one illustrated on pp. 4-18 to 4-19, with trees and understory landscaping. Vinyl fences and stockade fences should be prohibited to prevent cheapening of all Amelia Island properties.

### ***Line/Section-Specific Comments***

4.05.01.A.--Reference to "Florida-Friendly landscaping principles." Can identifying information be added regarding who/what governing body set the principles? Can we get a reference or link to those principles?

4.05.01.B.--

2. This mentions "shade for ground surfaces and reducing heat island effects". Would this be the place to add a reference to "soil retention and buffering from wind and storm damage"?
8. Again, what are these "Florida-Friendly landscaping principles...?"

4.05.01.B.--important point—to the extent possible, native soils should not be disturbed.

4.05.02.C.--This is most important--structures must fit in the existing canopy. We would like to see a requirement that the placement of the structure on the property respect the existing tree positioning within the site so as to maximize tree preservation.

4.05.03.B.10.--Trees must be at least 2 ½ - 3 inches DBH.

4.05.03.B.11.--How can a palm be considered a "shade" tree? No number of palms equals a shade tree.



### **amelia tree conservancy**

4.05.03.E **Trimming trees:** homeowners must use ISA-licensed arborists --if pruning on their own, they should be instructed on proper pruning techniques by our arborist and/or our tree commission or should seek formal training.

4.05.06.A.--Exactly, it should read: proposed **construction** should be located (situated) on site to protect trees. Another suggestion for wording was that “the landscaped areas shall be located on the site in such manner as to maximize preservation of existing tree.....” should be changed to read “the proposed construction shall be located on the site in such manner as to preserve existing trees....”

4.05.06.—We don’t understand the credit system.

4.05.14.A.1.--good point, just needs specifics

“There shall be no net loss of canopy within the city.”--We need to be consistent with the use of “canopy” versus “shade tree.” This is a very nice sentiment, but needs measurability.

4.05.14.B.3.a.—difficult to understand.

4.05.14.E.--Preservation credits? What? Is this actually incentivizing or just greater complication and obfuscation?

4.05.14.E.4.—Instead of “The fee will be set by resolution of the City Commission and will be based on the average cost for the City to replace the tree with.....,” we suggest “and will be based on the average cost for the City to replace, plant and irrigate through self sustainability with.....” Does the Commission need to get involved in this when they may not have the expertise required? Could this be a task handled by the arborist?

4.05.14.G.—**Tree protection.** During commercial development a 4-foot chain-link fence should be installed prior to and maintained during the entire construction process.

4.05.14.G.3., line 2—the original “prohibited” should be retained, rather than changing the text to “discouraged.”

4.05.14H—**Tree abuse.** This needs to specify EXACT violations in terms of fines, loss of permits, criminal misdemeanors, etc.

4.05.15.--Also a good point --need professional arborist, tree commission--**NOT** city manager.



**amelia tree conservancy**

Respectfully submitted,

**Amelia Tree Conservancy Steering Committee**

Berta Arias

Arthur Herman

Diana Herman

Margaret Kirkland

Jo-Ann Leimberg

Chris Occhuizzo

Rebecca Raymond

**From:** [Robert Prager](#)  
**To:** [Kelly Gibson](#)  
**Subject:** Land Planning, Buffers and Trees comments.  
**Date:** Tuesday, September 22, 2015 10:28:18 AM

---

Dear Ms. Gibson,

## LANDSCAPING, BUFFERS, AND TREES

I compliment the staff on their effort. The goal of the document are impressive.

Here are my comments:

1. In Section 4.05.02 The term certified arborist is introduced. Later the term ISA certified arborist is used. Is the intent that all references to arborist be ISA certified? Is this to be an arborist familiar with working in the built environment versus an arborist experienced in restoration, preservation or production?
2. Also in Section 4.05.02 the terms, tree survey and tree inventory are introduced. It is not clear as to the distinction between these two instruments of service, when the different types of surveys are to be used and to what purpose. As a designer I don't know whose services to contract or which survey to submit and how it will be interpreted by staff. I assume a tree survey would only locate trees and state the DBH while a tree inventory would also include at a minimum species and condition.
3. There are several references to heat island effect, visual barriers, service life of trees, etc., but there does not appear to always be a schedule when these goals are to be accomplished, i.e., if the tree has a thirty year life and it takes ten years to mature to shade a parking lot, is twenty years of service effective in reducing heat island effect? Will the trees survive the heat island effect of the parking lot?
4. I did not find a section on plant compatibility and interaction other than by hydrozones and watering zones. Section should discuss establishment, soil compaction requirements, disease vectors, soil compatibility (pH), etc., shade or sun tolerance, effect of sudden sun exposure do to clearing. Compatability with buried utilities should be addressed. Under plant establishment, rate of establishment is important since one species may out-compete and quickly dominate a landscape. There is no requirement for establishing plant communities. Unlike natural settings it may be necessary to introduce all plant members of the community since there may not be seed stock or transportation available. As an example of incompatibility, 4.05.03 B.6 specifies the minimum height of vines but the hazards of vine infestation up established trees at the edge of newly cleared area are not provided.
5. There is some discussion on forest structure in Section 4.05.12 E. on buffering between zoning districts. The concept of vertically layered plant material should be required at all transitions including the edge of cleared areas. Maintaining forest structure is important to survivability.
6. Section 4.05.05 Single family and two family Residential Development there appear to be some ambiguity. It requires a minimum of one shade tree per every 2500 sf of lot but require two tree in each of the front and back lot. It does not discuss clustering.
7. Section 4.05.07 on parking is to promote safety, but requires visual screens but does not include lines of sight for law enforcement personnel.
8. Section 4.05.14 D sets forth the replacement requirements. This paragraph is similar to other codes but many, including me, disagree with the concept. Replacing a large tree with many smaller trees ignores the difference in

hydrology, how, when and if rainfall reaches the ground and how groundwater is maintained or changed. The requirement of the combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal does not make scientific sense. The cross sectional area of a 60-inch tree is 2827 square inches. The tree could be replaced with 24 2.5-inch trees. The equivalent cross sectional area is 118 square inches. If this calculation was for replacing 60-inch pipe used as buried detention it would be replaced with 576 2.5-inch diameter pipes to get the same capacity. It also ignores the severe change in habitat. A large tree is home to hawks and owls and many other plants and animals. Several smaller trees spread over the same area is a virtual desert. Given the live oaks growth habit, (its huge horizontal expanse relative to its height) the sheer volume and diversity of habitat afforded by a single mature live oak dwarfs that of many, many smaller trees.

9. In Section 5.05.14 D I do agree that the survivability is higher with smaller trees but survivability of larger trees is improved by the addition of admixtures and supplements like vitamin B to reduce planting shock, proper pruning and other BMPs. Some cities require a few specimen trees of larger caliper to get a jump on forest structure. Reforestation Technologies International, <http://www.reforest.com/>, has been a reliable source of information on admixtures and supplements.
10. Root pruning and other best management practices are not discussed.
11. Section 4.05.02.D.5 excludes certain property owners from the requirements of Section 4.05.00. This does not seem reasonable. They would be excluded the requirements such as 4.05.10 Retention and Detention Ponds and 4.05.03 Landscape Materials Standards which may apply.

I would like to see our community move toward conservation site design where wetlands, forests and other natural resources are considered as interactive units. In conservation site design natural resources are identified at the beginning of the site layout. Identifying the natural resources gives them value. Things that we value are preserved.

Please don't hesitate to contact me to discuss any of these comments. Keep up the good work.

Best regards,  
Robert  
Robert Prager, PE, CVS

Principal River Engineer  
Intuition & Logic  
1306 Autumn Trace  
Amelia Island, FL 32034-5400  
(904) 261-5555 office  
(904) 206-9478 cellular  
<http://intuitionandlogic.com>

*"It is by logic that we prove, but by intuition that we discover."* Jules Henri Poincaré (1854-1912)



Please consider the environment before printing my e-mail

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February 3, 2016  
Newsreader Edition

CANNED  
S KB D



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

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for Tuesday, February 16, 2016, at 6:00 PM in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

**ORDINANCE 2015-36**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING THE LAND DEVELOPMENT CODE SPECIFIC TO TREE PROTECTION AND LANDSCAPE REQUIREMENTS AS CONTAINED IN CHAPTER 1, SECTION 1.07.00, CHAPTER 4, SECTION 4.05.00, AND CHAPTER 11.04.08; 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: **Board Appointment**  
Board of Adjustment

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: Approve Board of Adjustment Appointment of one (1) Alternate Member.

SYNOPSIS: Currently, a vacancy on the Board of Adjustment exists for Alternate #2 Member, a three (3) year term.

The City Clerk's Office has received one application from Mr. Barry Hertslet who desires to serve on the Board of Adjustment. The application was reviewed and acknowledged by the Board of Adjustment at its January 20, 2016, Regular Meeting and made no recommendation for approval nor disapproval (email attached), but agreed to move it forward to the City Commission.

The above applicant listed is a City resident as required by the City Charter, Section 69. Notification soliciting interested citizens to serve on boards/committees is currently posted on the City's website.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission appoint Mr. Barry Hertslet to a three-year term to the Board of Adjustment. *DLM*

DEPARTMENT DIRECTOR	Submitted by: Caroline Best City Clerk	Date: 1/25/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 02/16/16 <i>DLM</i>	Date: 2/5/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

# BOARD OF ADJUSTMENT

Meeting: Third Wednesday of every month, 5:30 p.m., City Commission Chambers				
Appointment Date	NAME	ADDRESS	TELEPHONE	TERM
<b>02/13</b>	Marcy Mock <a href="mailto:marcy@marcymock.com">marcy@marcymock.com</a>	2008 Highland Drive	753-6500 (W)	3 yrs-11/2018
<b>09/06</b>	*Charles Burns <a href="mailto:obaku@comcast.net">obaku@comcast.net</a>	2100 S. Fletcher Avenue	415-3055	3 yrs-09/2018
<b>10/10</b>	Lynn Williams <a href="mailto:Lynwil3@aol.com">Lynwil3@aol.com</a>	1899 S. Fletcher Avenue	491-0059 (H)	3 yrs-06/2018
<b>05/15</b>	Michael Spino <a href="mailto:mikespino@bellsouth.net">mikespino@bellsouth.net</a>	1328 N. Fletcher Avenue	904) 222-8988 (W)	3 yrs-09/2018
<b>02/13</b>	Tisha Dadd <a href="mailto:tishadadd@live.com">tishadadd@live.com</a>	1328 N. Fletcher Avenue	(904) 222-8988 (W)	3 yrs-05/2016
<b>05/15</b>	<i>Alternate #1</i> Matt Miller <a href="mailto:islandplumber@hotmail.com">islandplumber@hotmail.com</a>	416 Fir Street	(912) 270-5826	3 yrs- 05/2018
	<i>Alternate # 2</i> <b>VACANT</b>			3 yrs-
<b>*Chair **Vice Chair</b>				
Staff Coordinator: Jacob Platt, City Planner <b>FINANCIAL DISCLOSURE REQUIRED</b>				

## Kim Briley

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**From:** Jacob Platt  
**Sent:** Monday, January 25, 2016 11:25 AM  
**To:** Kim Briley  
**Subject:** BOA Application  
**Attachments:** BOA Board Applicant Barry Hertslet 050815.pdf

Kim,

The BOA did not vote on Mr. Barry Hertslet's application at the January 20<sup>th</sup> meeting, but they agreed to move it forward to the City Commission for appointment.

Thank you,

Jacob M. Platt  
Planner I  
City of Fernandina Beach  
204 Ash Street  
Fernandina Beach, FL 32034  
Office: 904.310.3140  
Fax: 904.310.3460  
[jplatt@fbfl.org](mailto:jplatt@fbfl.org)  
[www.fbfl.us/cdd](http://www.fbfl.us/cdd)

### ***CDD: Working Together for a Safer Community***

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 exempt by the Public Records Law. If you do not want your email addresses 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.



The Florida Chapter of the  
American Planning Association  
celebrates excellence in planning.



City of Fernandina Beach
Advisory Board/Committee Application

2015 MAY 10 10:11 AM

CITY OF FERNANDINA BEACH

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
204 Ash Street
Fernandina Beach, FL 32034
(904) 310-3115 or cbest@fbfl.org

Nominee Information: (Please type or print) Name Barry HERTSLET

Home Mailing Street Address 2705 ROBERT OLIVER AVE

City FL Zip 32034

Primary Phone 904 491 0720 Secondary Phone 904 206 3936

Please note that board materials are distributed electronically.

Email to receive board materials barry.hertslet@gmail.com

Employer Hatch Mott MacDonald Position Title Resident Engineer

Business Street Address Pleasanton, CA

City Zip

Select the board(s) you are applying for:

Table with 2 columns listing various advisory boards and committees such as Airport Advisory Commission, Board of Adjustment, and Arts and Culture Nassau.

Other

Why are you interested in serving on this Board? Please explain. Served before as Alt. before going back to work for last assmt.

Served before as Alt. before going back to work for last assmt.

**Eligibility**

Are you a resident of the City?  Yes  No Length of time: 15 years

Do you hold a public office?  Yes  No Office name: \_\_\_\_\_

Are you employed by the City?  Yes  No Position: \_\_\_\_\_

Are you currently serving on a Board?  Yes  No Board Name: \_\_\_\_\_

**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?  Yes  No

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): Police Aux. Corps - 8 years,  
Seniors vs Crime - 3 years

**Qualifications:**

Please list any specific qualifications, education or experience that would directly relate to the Board for which you are being recommended: Masters degree in Civil Engineering - Urban

Planning & Traffic Engr.

Organization or Commissioner sponsoring nomination (if applicable): \_\_\_\_\_

**Educational Background:** (Check all that apply)

High School  AA  BS/A  MS/A  Ph.D.  J.D.

Other 3 PE State Registrations current

Major areas of study: Civil Eng - transit construction

Other experience or skills that may be valuable to the Board: Past President of  
Egan's Landing Homeowners Assoc - 4 yrs

**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 (Form 1) 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

No

By submitting this form, I declare the foregoing facts to be true, correct, and complete.

Applicant's Signature

*M. J. [Signature]*

Date

5-8-15

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Board Appointment**  
Greens and Oversight Committee

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: To reappoint, as a ministerial duty of the City Commission, Ms. Jayne Paige as the Fernandina Beach Women's Golf Association's representative of the Greens and Oversight Committee.

SYNOPSIS: The Fernandina Beach Women's Golf Association representative's term will expire in February, 2016, and the Fernandina Beach Women's Golf Association has submitted the name of Ms. Jayne Paige to continue to serve as its representative for a one (1) year term to expire in January, 2017.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission appoint Ms. Jayne Paige to serve a one-year term, to expire January 31, 2017, to the Greens and Oversight Committee.

*DLM*

DEPARTMENT DIRECTOR	Submitted by: Caroline Best <i>CBest</i> City Clerk	Date: 1/25/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 02/16/16 <i>DLM</i>	Date: 2/5/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

# GREENS AND OVERSIGHT COMMITTEE

<b>GREENS AND OVERSIGHT COMMITTEE</b>				
<b>Meeting: Monthly</b>				
<b>Appointment Date</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>TELEPHONE</b>	<b>TERM</b>
<b>03/14</b>	Bob Dorsey	2256 B 1 <sup>st</sup> Avenue	415-6649	3 yrs- 3/2017
<b>03/14</b>	Rob Maynard <a href="mailto:rmaynard@maxis360.net">rmaynard@maxis360.net</a>	2504 Via Del Rey	624-7939	3 yrs- 3/2017
<b>03/14</b>	*Bruce Smyk <a href="mailto:brucesmyk@comcast.net">brucesmyk@comcast.net</a>	1740 Leslie Court	310-6444	3 yrs- 3/2017
<b>03/14</b>	Beth Anderson-McQueen <a href="mailto:Elizanderson_2000@yahoo.com">Elizanderson_2000@yahoo.com</a>	302 Lighthouse Lane	(404) 394-2571	3 yrs- 3/2017
<b>03/14</b>	John L. Ramsey <a href="mailto:ramz@bellsouth.net">ramz@bellsouth.net</a>	2104 Canterbury Lane	(904) 277-7165	3 yrs- 3/2017
<b>Representatives of the Golf Associations:</b>				
<b>04/11</b>	Jane Paige 1709 Crescent Road <a href="mailto:Jayne_Paige@yahoo.com">Jayne_Paige@yahoo.com</a>	Women's Association	261-0382 (H) 415-2001 (C)	1 yr-2/2016
<b>12/13</b>	Carl Galpin 537 Spanish Way West <a href="mailto:cwgalpin@yahoo.com">cwgalpin@yahoo.com</a>	Men's Association P.O. Box 16228 Fernandina Beach, FL 32035	(313) 949-8809	1 yr-1/2016
<b>*Chair **Vice Chair</b>				
<b>Staff Coordinator: Golf Professional/Manager Steve Murphy</b> <b>City Commission Liaison: Commissioner Poynter</b> <b>NO FINANCIAL DISCLOSURE REQUIRED</b>				

## Kim Briley

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**From:** victoriag@juno.com  
**Sent:** Wednesday, January 20, 2016 9:05 AM  
**To:** Kim Briley  
**Cc:** jayne\_paige@yahoo.com  
**Subject:** Fernandina Beach Greens and Oversight Committee

Dear Kim,

The Fernandina Beach Women's Golf Association requests the appointment of Ms. Jayne Paige, a City of Fernandina Beach resident, to the Fernandina Beach Greens and Oversight Committee to represent the WGA from January 2016 to January 2017.

If you have any questions or need any additional information concerning our nomination, please contact me at 313-949-8027 or [victoriag@juno.com](mailto:victoriag@juno.com).

Thanks for your consideration,

Victoria Galpin  
President, FBWGA

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<https://ad.doubleclick.net/ddm/clk/296495997;123540467;b>

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Board Reappointment**  
Parks and Recreation Advisory Committee

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Approve the reappointment of Ms. Trudie Richards to the Parks and Recreation Advisory Committee for a one (1) year term ending February 2017.**

SYNOPSIS: Parks and Recreation Advisory Committee Member Ms. Trudie Richards' term expires this month (February, 2016) and she has submitted a request for reappointment to serve for an additional one (1) year term ending February, 2017.

FISCAL IMPACT: N/A

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission appoint Ms. Trudie Richards to the Parks and Recreation Advisory Committee for a one-year term to expire on February 28, 2017. *DLM*

DEPARTMENT DIRECTOR	Submitted by: Caroline Best <i>cbest</i> City Clerk	Date: 1/28/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 2/16/16 <i>DLM</i>	Date: 2/5/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

# AD HOC COMMITTEES

## PARKS AND RECREATION ADVISORY COMMITTEE

PARKS AND RECREATION ADVISORY COMMITTEE				
Meeting: Second Wednesday of every month, 4:00 pm, Peck Reception Room.				
Appointment Date	NAME	ADDRESS	TELEPHONE	TERM
09/06	*Burton K. Bright <a href="mailto:bbright@valdosta.edu">bbright@valdosta.edu</a>	834 Mary Street	261-0241	2 yrs-01/2017
09/06	John M. Cotner <a href="mailto:john@cotnerassociates.com">john@cotnerassociates.com</a>	9 S. Third Street (B) 1627 Atlantic Ave (H)	277-4593	3 yrs-01/2018
12/14	Paul Martinez <a href="mailto:paul@boteboard.com">paul@boteboard.com</a>	2505 Via Del Rey Road	(323) 610-1080	2 yrs-12/2016
12/15	Joy Behan <a href="mailto:JoyBehan@gmail.com">JoyBehan@gmail.com</a>	1548 Persimmon Circle South	(386) 334-3359	1 yr-12/2016
12/10	Pranab Das <a href="mailto:pranabdas@aol.com">pranabdas@aol.com</a>	534 Santa Maria Drive	261-3721	1 yr-09/2016
02/13	Eric Bartelt <a href="mailto:ericbartelt@gmail.com">ericbartelt@gmail.com</a>	3820 S. Fletcher Avenue	261-7808	3 yrs-02/2018
02/15	Trudie Richards <a href="mailto:trudie@sweeley.com">trudie@sweeley.com</a>	409 Georgia Avenue	432-7789	1 yr-02/2016
*Chair **Vice Chair				
Staff Coordinator: Nan Voit, Parks & Recreation Director City Commission Liaison: Mayor Miller <b>NO FINANCIAL DISCLOSURE REQUIRED</b>				

## Kim Briley

---

**From:** Jay Robertson  
**Sent:** Thursday, January 28, 2016 3:54 PM  
**To:** Kim Briley  
**Subject:** FW: PRAC

---

**From:** Trudie Richards [<mailto:trudie@sweeley.com>]  
**Sent:** Thursday, January 28, 2016 10:56 AM  
**To:** Jay Robertson  
**Subject:** Re: PRAC

Gosh that was fast! Yes please, I'd like to stay on. I feel as though I'm just finding my voice.

Trudie

On Jan 28, 2016, at 10:15 AM, Jay Robertson <[jrobertson@fbfl.org](mailto:jrobertson@fbfl.org)> wrote:

Hello Trudie,  
Your PRAC term is over next month so I am sending an email to see if you wish to stay on the board. You can extend your term with a simple reply to this email. I hope you are doing well and look forward to your response.

Jay Robertson, CPRP  
Parks and Recreation Manager  
904-310-3361

**Disclaimer: According to Florida law, e-mail 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 exempt by the Public Records Law. If you do not want your e-mail 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."**

CITY COMMISSION AGENDA ITEM  
City of Fernandina Beach



SUBJECT: **Discussion**  
City Attorney Employment Agreement/Performance Evaluation

ITEM TYPE:  Ordinance  Resolution  Other  
 Proclamation  Presentation

REQUESTED ACTION: **Discussion**

SYNOPSIS: Attached is the City Attorney's employment agreement along with performance evaluations conducted in 2015.

This item is placed on the agenda at the request of Vice Mayor Lentz.

FISCAL IMPACT:

2015 STRATEGIC PRIORITIES:  Waterfront Funding (Priority 1)  Fire Department (Priority 1)  
 8<sup>th</sup> Street (Priority 1)  Department Goals (Priority 1)  
 Trolley System (Priority 2)  Beach Renourishment (Priority 2)  
 4 Year Terms (Priority 2)  8<sup>th</sup> Street Entrance (Priority 2)  
 Waterfront Park- Lot B (Priority 3)

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S): N/A

DEPARTMENT DIRECTOR	Submitted on behalf of Vice Mayor Lentz	Date: 2/10/16
CONTROLLER	Approved as to Budget Compliance	Date:
CITY ATTORNEY	Approved as to Form and Legality	Date:
CITY MANAGER	Approved Agenda Item for 02/16/16 <i>DLM</i>	Date: 2/10/16

COMMISSION ACTION:  Approved As Recommended  Disapproved  
 Approved With Modification  Postponed to Time Certain  
 Other  Tabled

RESOLUTION NO. 2011-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT TO CLARIFY TERMINATION PROVISIONS AND DELETE REFERENCE TO REORGANIZATIONAL MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to amend the City Attorney's employment agreement to clarify termination provisions and delete reference to contract renewal on the date of the Reorganizational meeting; and

WHEREAS, the City Attorney has no objection to the City Commission's desired amendments to her employment agreement.

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

SECTION 1. The City Commission hereby amends the City Attorney's employment agreement for a second time as provided in the Second Amended Employment Agreement attached hereto as Exhibit "A".

SECTION 2. This is the second amendment to the City Attorney's original Employment Agreement dated September 18, 2007.

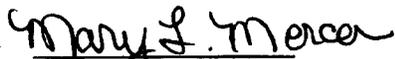
SECTION 3. This resolution shall become effective immediately upon passage.

ADOPTED this 17th day of May, 2011.

CITY OF FERNANDINA BEACH

  
Susan Hardee Steger  
Mayor-Commissioner

ATTEST:

  
Mary L. Mercer  
City Clerk

APPROVED AS TO FORM:

  
Tammi E. Bach  
City Attorney

**SECOND AMENDED  
FULL TIME CITY ATTORNEY EMPLOYMENT AGREEMENT  
2007-2008 CONTRACT**

THIS SECOND AMENDED AGREEMENT, made this 17<sup>th</sup> day of May 2011, between the City of Fernandina Beach, Florida, hereinafter referred to as the "City" or "the City Commission," as the context requires, and Tammi E. Bach, hereinafter referred to as "City Attorney."

WHEREAS, on May 17, 2011, the City Commission voted to approved Resolution 2011-72 amending the City Attorney's employment agreement dated, November 13, 2007, a second time to delete reference to the reorganizational meeting as a renewal date and simplify how the employment agreement may be terminated by the City Commission. Subsections I(A), III(D), V(A), V(B), V(C), V(D), V(E), VII(A) and XII of the agreement shall be amended accordingly.

WHEREAS, no other provisions of the Agreement shall be amended and are still in full force and effect.

NOW THEREFORE, it is hereby agreed as follows:

I. **TERM OF EMPLOYMENT**

- A. The initial term of this Employment Contract shall commence on November 13, 2007, the effective date as set forth herein in Section XII
  
- B. This Employment Contract shall be automatically renewed for one-year terms at the end of the initial term and each one (1) year term thereafter, and shall continue for subsequent one-year periods unless terminated according to the provisions of Section V or VI herein.

## II. DUTIES

- A. The City Attorney will perform legal duties for the City as set forth in the City Charter and Exhibit "A.", attached hereto. It is agreed that Tammi E. Bach will serve the City full time as City Attorney.
- B. The City Attorney shall not represent other clients or perform other legal work for compensation during the term of this Agreement except as required to finalize existing cases. The finalization of existing cases shall be accomplished within ninety (90) days of the date of this Agreement with the exception of appeals and or continuances and the City Commission may extend the time based upon written explanation by the City Attorney. The City Attorney is hereby expressly authorized to perform pro bono legal services not in conflict with her duties as City Attorney.
- C. The City Attorney shall report directly to the City Commission.
- D. The City Attorney agrees to abide by, and perform required duties hereunder in accordance with, the ethics of the legal profession and all federal, state and municipal laws, regulations and ordinances regulating the practice of law, the City Charter and all policies and ordinances of the City of Fernandina Beach. If requested by the City Commission, the City Attorney shall provide an accurate record of all time devoted to the City's matters and affairs and divide such time by appropriate categories or matters.
- E. The City Commission may employ a special attorney to represent the City in regard to any matter where the City Commission determines that an attorney who is more familiar with a specialized field of law is necessary to represent the City in regard to such specialized fields and nothing contained in this agreement shall present or hinder the City Commission from doing so.

### **III. SALARY AND BENEFITS**

- A. The City Attorney's initial annual salary under this Employment Contract for the initial contract term as set forth in Section I(A) above shall be \$115,000. The City Attorney shall be paid on the same payment basis as other City employees. The City Commission shall covenant to budget and appropriate the City Attorney salary benefits such as health and life insurance and all other benefits payable to the City Attorney in accordance with this Employment Contract, from legally available funds. The parties hereto understand and agree that no ad valorem taxes are pledged to secure this Employment Agreement. At the beginning of each fiscal year and at such other times as deemed appropriate by the City Commission, the City Attorney may receive salary raises as approved by the City Commission. However, the City Attorney shall receive percentage salary increases no less than the percentage increase established for other senior management employees in the City each year.**
- B. If travel is required outside the corporate limits for City business, City Attorney shall receive mileage reimbursement for personal vehicle for said travel in accordance with Florida Statutes, §112.06.**
- C. The City shall pay, consistent with Chapter 112, Florida Statutes, tuition, travel and other such fees and costs necessary or appropriate to allow the City Attorney to attend seminars, legal educational courses, and other such meetings pertaining to City legal matters, those costs necessary to meet general Florida Bar requirements, and those costs necessary to meet Florida Bar Board of Legal Specialization and Education requirements, specifically, for the City Attorney to maintain her Board Certification in City, County and Local Government Law. In addition, the City shall pay or reimburse the City Attorney dues for Membership in the Florida Bar; the City, County and Local Government Law Section of the Florida Bar; and the Florida Municipal Attorney's Association.**

D. The City Attorney shall be entitled to three (3) weeks (=15 business days) of vacation each fiscal year, four (4) personal days, holidays and sick leave normally given the City employees. The City Attorney shall have the discretion to decide when she shall take accrued vacation, subject to notification and approval by the City Commission. A maximum of one (1) week of unused vacation and all accrued sick leave shall be carried over to the next fiscal year. Upon termination of this Employment Contract, whether by the City Commission or by the City Attorney, the City Attorney shall be entitled to compensation for all accumulated and unused vacation and 50% sick leave.

E. The City shall fund retirement benefits and provide health insurance and life insurance benefits for the City Attorney beginning after thirty (30) days of service as outlined in Exhibit "B", attached hereto, at no cost to the City Attorney. The City Attorney shall be 100% vested in the City's total contribution of retirement benefits as outlined in Exhibit "B" beginning on the first day that the City begins to fund such retirement benefits.

F. Except as specifically provided herein, the City Attorney shall be entitled to all insurance, including but not necessarily limited to group health insurance and life insurance, and all other benefits accorded to other senior management level employees of the City at no cost to the City Attorney.

#### **IV. OFFICE AND STAFFING**

A. The City shall provide the City Attorney with sufficient office space and office equipment, law books, and other supplies, materials and equipment that are necessary to enable the City Attorney to provide the services expected of the City Attorney.

- B. The City shall provide the City Attorney staff necessary to operate a full time City Attorney's Office, and at least one (1) full-time employee.

V. **TERMINATION BY CITY**

- A. The City Commission may terminate the employment of the City Attorney for cause prior to the expiration of the initial term of employment hereunder, or any applicable one (1) year renewal term. Cause for termination shall consist of dereliction of the duties of City Attorney. "Dereliction of the duties of City Attorney" is defined herein as, acts of gross misfeasance or malfeasance, gross misconduct which constitutes conduct demonstrating willful or wanton disregard of the City's interests, a deliberate violation or disregard of the standards of behavior to which the City Commission has a right to expect of the City Attorney, carelessness or negligence to a degree or recurrence that manifests culpability, wrongful intent, or shows an intentional and substantial disregard of the City's interests or of the City Attorney's duties and obligations to the City, including but not limited to conduct resulting in material harm to the City, willful neglect or failure to perform her duties as described in Exhibit "A" and in the City Charter, gross insubordination or acts of dishonesty. Prior to termination for cause under this paragraph, the City Commission shall furnish to the City Attorney a notification in writing of the grounds for discharge, and at the written request of the City Attorney, accord the City Attorney a public hearing prior to making a final decision on termination. The public hearing shall be held not sooner than twenty (20) days, nor later than forty (40) days, after delivery of the notification of grounds for termination to the City Attorney. Termination of the City Attorney under this paragraph shall require the affirmative vote of a majority plus one of the membership of the City Commission.
  
- B. In the event that the City Attorney is charged by indictment or information of a felony, she may, at the sole discretion of the City, be suspended from her duties without pay. In the event there is no conviction of a felony, the City

Attorney shall be re-instated with back pay. If there is a conviction, the Employment Contract, at the option of the City, may be terminated and the City Attorney discharged from her duties without a hearing.

- C. The City Commission may by majority vote terminate this Employment Agreement, without cause, by giving the City Attorney thirty (30) days advance written notice. It shall not be necessary for the City Commission to have or state any specific cause, reason or ground to support a motion to terminate this contract.
  
- D. If the City Commission, citizens or legislature acts to amend any provisions of the City Charter, regulations, ordinances, or policies, as they may be amended from time to time, and/or state law pertaining to the role, powers, duties, authority, or responsibilities of the City Attorney's position that substantially changes the terms of this Employment Contract, the City Attorney shall have the right to declare that such amendments constitute termination by the City Commission from the effective date of such amendments.

#### **VI. TERMINATION BY CITY ATTORNEY**

The City Attorney may terminate this Employment Contract by giving the City thirty (30) days advance written notice. If the City Attorney dies, or is unable to perform the duties of City Attorney through illness or disability, for a period of four (4) successive weeks beyond any accrued vacation and sick leave, this Contract shall be terminated.

#### **VII. SEVERANCE**

- A. If this Employment Contract is terminated by the City Commission pursuant to Sections V(C) or V(D) above, the City Attorney shall be entitled to severance pay equal to her then current salary for a period of sixteen (16) weeks from the date of her termination. As part of any severance pay the City Attorney may be entitled to, the City Attorney shall also be entitled to

compensation for all accrued vacation and 50% accrual sick leave, and the City shall pay and provide for the continuation of health insurance, life insurance and all other benefits normally paid to the City Attorney, at the City's cost, for the same period of time that the City Attorney receives severance pay following the date of termination.

- B. Any severance pay provided herein shall be paid to the City Attorney in bi-weekly installments, unless otherwise agreed to in writing by the City Attorney.
- C. If this Employment Contract is terminated by the City Commission and the City Attorney is entitled to severance benefits under this Section VII, the City Attorney must execute a general and full release releasing the City, its elected officials, officers, employees, attorneys and agents from any and all obligations, claims or liabilities arising out of the City Attorney's employment with the City, including but not limited to claims for wrongful termination, discrimination of any kind, and defamation. Said release shall not release the City or the City Commission from its obligations to indemnify the City Attorney under Section X below.
- D. If the City Attorney voluntarily resigns pursuant to Section VI above, she shall be entitled to her salary, health and life insurance benefits through the date of termination, accrued vacation and 50% sick leave; however, she shall not be entitled to severance pay as provided in this Section VII.

#### **VIII. RELOCATION EXPENSES**

- A. The City will reimburse the City Attorney up to four thousand (\$4,000) for the costs associated with relocation.
- B. Should the City Attorney resign within two years of her employment with the City to retire or accept a position elsewhere, she will return to the City any

expenses it has paid to assist with her relocation. Reimbursement to the City of relocation expenses is not required if the City Attorney should die within the first two (2) years or resign within such time due to disability.

**IX. BONDING**

The City shall bear the full cost of any fidelity or other bonds required of the City Attorney under any law or ordinance.

**X. INDEMNIFICATION**

The City shall defend, hold harmless and indemnify the City Attorney against any tort, professional liability claim or demand, or other legal or administrative action, whether groundless or otherwise, arising out of an alleged act or omission occurring at any time during the performance of the City Attorney's duties as City Attorney unless it is determined that the City Attorney acted in bad faith, or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety or property. The City shall pay the expenses for the travel, lodging, meals and lost time of the City Attorney should the City Attorney be subject to such, and if such suit be pending after the City Attorney is no longer in the employment of the City Commission. The City shall be responsible and have authority to compromise and settle any such claim or suit and pay the amount of any defense, settlement or judgment rendered thereon. The City Attorney shall fully cooperate with the City in the settlement, compromise or trial of any such claim. The provisions of any City policy or ordinance regarding the indemnification of the City's officials or employees shall apply to the indemnification of the City Attorney to the extent any such policy or ordinance does not conflict with this Section X.

**XI. GENERAL PROVISIONS**

- A. If any provision, or any portion thereof, contained in this Employment Contract is held to be unconstitutional, invalid, or unenforceable, the

remainder of this Employment Contract or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

- B. This Employment Contract shall not be amended except in writing executed by both parties hereto.
- C. A failure by either party to insist upon strict performance by the other, or to exercise any other right herein, shall not constitute a waiver of such right applicable to future conduct or the accrual of such future right.
- D. The headings for the sections contained in this Employment Contract are solely for convenience of reference and shall not constitute a part of this contract or affect its meaning, construction or effect.
- E. The interpretation of this Contract shall be governed by the laws of the State of Florida.
- F. This Contract revokes and supersedes any prior agreements, written or oral. No representations or promises other than those set forth herein may be relied upon by either party. This Contract represents the entire agreement between the parties and shall not be subject to modification or amendment by any oral representation, or any written statement by either party, except for a dated written amendment to this Contract signed by both parties.
- G. Any dispute under this Agreement, which cannot be resolved informally, shall be resolved pursuant to the voluntary labor arbitration rules of the American Arbitration Association ("AAA") in Nassau County, Florida, by an impartial arbitrator, selected in accordance with such rules, as the exclusive remedy for any such dispute, including but not limited to claims of alleged discrimination. Any claim to arbitration must be submitted no later than three hundred and sixty five (365) calendar days following the date either party becomes aware

of the conduct constituting the alleged claims. The parties agree to waive their respective right to a jury trial over any such dispute and agree that failure to timely submit any claim to arbitration shall result in a waiver of the alleged claim. The parties further agree to waive any and all claims not raised through this procedure.

H. The City Attorney shall comply with Section 119.05 Florida Statutes requirement of the Disposition of Records at End of Official's Term.

**XII. EFFECTIVE DATE**

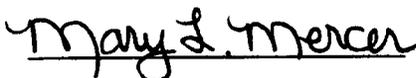
The original Agreement took effect on November 13, 2007.

**CITY ATTORNEY**



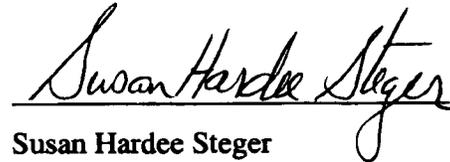
Tammi E. Bach, Esquire

**ATTEST:**



Mary Mercer  
City Clerk

**CITY OF FERNANDINA BEACH**



Susan Hardee Steger  
Mayor-Commissioner

## **EXHIBIT "A"**

### **ESSENTIAL DUTIES AND RESPONSIBILITIES**

Prepares and/or approves as to form all contract, bonds and other instruments in which the City is concerned.

As required by resolution, represents the City in court, and before quasi-judicial or administrative agencies of government relative to complaints, suits, and controversies in which the City is a party.

Prepares legal briefs, develops strategy, arguments and testimony in preparation for presentation of a case.

Prosecutes municipal citations.

Interprets laws, rulings, and regulations.

Provides legal opinions on any question of law relating to the respective powers and duties of the City Commission and City Manager or other matters as required by the City Commission or City Manager.

Prepares ordinances and resolutions requiring legal experience or as directed by the City Commission. Reviews and approves all ordinances and resolutions to be considered by the City Commission.

Attends all City Commission regular meetings and special meetings, as required, to provide legal advice and opinions relative to matters under consideration by the City Commission. Attends all meeting of the Planning Advisory Board, Historic District Council and Board of Adjustment when quasi-judicial hearings are to be ruled upon. Attends other City meetings at the request of the City Commission.

Prepares department budget and assures office operates within assigned parameters of the budget.

If requested by the City Commission, provides complete and accurate time records regarding all legal services, and the applicable department or subject matter.

Performs other duties as assigned by the City Commission.

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**EXHIBIT "B"**

**RETIREMENT & LIFE INSURANCE BENEFITS**

With no mandatory contribution required by the City Attorney, the City shall pay for the benefit of the City Attorney a minimum of 10% of the City Attorney's total base salary each year to be placed in a retirement account chosen by the City Attorney, and for a life insurance policy in an amount equal to the nearest one thousand dollars (\$1,000.00) equivalent to one year base salary.

## Tammi Bach

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**From:** Ed Boner  
**Sent:** Thursday, September 24, 2015 5:02 PM  
**To:** Tammi Bach  
**Subject:** Annual Evaluation

Tammi,

I've had a rough week, but wanted to take the time to put a few thoughts in an email. I will be glad to offer an honest opinion, the next time we have an opportunity to talk.

I appreciate your insight and frequent assistance in meeting protocol. This commission and the last, in particular, runs more smoothly because you are on hand to give advice. I am aware of the value and savings you provide to the city and the particular value of your expertise in municipal law. The various lawsuits any city enjoys, are, in my opinion, far fewer when consistent "in house" legal advice is present. I don't think many commissioners or residents understand the problems we avoided in the last few years. Professionally, I have no complaints and I have no complaints related to your performance.

We've worked together for nearly three years and I have been pleased with your advice in all but a few occasions. I felt the land on 14th Street and mitigation would happen anyway, so felt there was little point in fighting a ruling by St. Johns. I would also like to see more aggressive pursuit of lost attorney's fees in the impact fee case, whether through the original legal advice, engineering or other professional malpractice coverage. Finally, I still feel the PHI (protected health information) discussed in email by Joe and one commissioner, is truly protected. That said, I also understand the line you are forced to walk as City Attorney....offering advice, but avoiding any perception of favoritism or taking a position in favor of one commissioner or another.

When we first worked together, I felt you offered alternatives and advocated positions less frequently. I also felt this reflected the division of the commission and an effort to be impartial. I value your opinions and the positions you endorse. You are far more likely to know where and how we should proceed legally. I appreciated your bold moves in settling the impact fee case and appreciate the savings to the city as the settlement was negotiated at a far, far lower number. I appreciate the consistently wise advice and your willingness to listen to possible paths to move the commission in a better direction. You have been a true counselor to me as Mayor and as a Commissioner and I value your advice more than you know.

Thank you. It has been a privilege to work with you.

Sincerely,

Ed Boner  
Mayor - City Commissioner  
Fernandina Beach, FL 32034  
[www.fbfl.org](http://www.fbfl.org)

Go Green: Please don't print this unless it is absolutely necessary.

Disclaimer: According to Florida Public Records Law, e-mail correspondence to and from the City of Fernandina Beach, including email addresses and other personal information is public record and must be made available upon request, unless otherwise exempted by the Public Records Law. "If you do not want your e-mail address released in response to a

# Management and Executive Annual Performance Appraisal

Employee Name: Tammi Bach Appraiser's Name: Robin Lentz  
 Employee Title: City Attorney Department: Charter Officer  
 Appraisal Period: Dec. 2014-Sep. 2015

## Part I. Competency Evaluation – How This Employee Achieved Results

Ratings for competencies evaluate the degree to which employees used their skills and knowledge in achieving results. While commensurate ratings are only mandatory for competencies evaluated as Does Not Meet Expectations or Exceeds Expectations, managers are encouraged to substantiate all ratings by commenting on each competency.

### Core Competencies

Assess all employees on each of the competencies listed in this section by placing the appropriate rating (N, M, or E) in the "Rating" column.

Competency	Comments	Rating
<b>Strategic Leadership</b> Able to inspire, influence, and enable others to achieve a specific mission. Drive for results/initiative.	Tammi does an excellent job in helping those around her achieve specific missions.	E
<b>Business and Organization Knowledge</b> Having a solid knowledge of The City of Fernandina Beach's businesses and organization. Ability to identify and learn new information.		M
<b>Decision Making</b> Acts on and makes timely decisions with business direction. Delegates decision-making authority to level with capability and information closest to the internal or external customer.		M
<b>Customer Focus</b> Ability to anticipate and meet internal/external customer needs in timely manner. Ensures customer satisfaction through process of monitoring, developing, improving, and delivering excellence in products and service.		M
<b>Selection and Development of People</b> Competence can be seen by how well self and others are developed.		M
<b>Teamwork/Partnering</b> Builds winning teams. Works effectively with others to accomplish goals/resolve problems.	Tammi works very well with others to resolve very difficult issues.	E

**Core Competencies** *continued*

Assess *all* employees on each of the competencies listed in this section by placing the appropriate rating (N, M, or E) in the "Rating" column.

**N:** Does Not Meet Expectations

**M:** Meets Expectations

**E:** Exceeds Expectations

Competency	Comments	Rating
<p><b>Accountability</b> Makes aggressive commitments and is willing to be judged against them. Trustworthy with unyielding integrity.</p>		M
<p><b>Vision/Direction Setting</b> Ability to provide clear sense of direction for organization/department. Secures relevant information. Identifies key issues and sets priorities.</p>	<p>Tammi does an excellent job at taking sometimes 5 different opinions and ideas to narrow it down to a manageable goal that all 5 will agree on.</p>	E
<p><b>Drive for Results/Resource Management</b> Identifies new ways to improve quality, productivity and customer service. Maximizes talents and abilities. Uses available resources efficiently (e.g., time, materials).</p>		M
<p><b>Adaptability</b> Ability to be flexible when changes occur. Able to anticipate and bring about change when needed.</p>		M

**Overall Evaluation of Competencies**

Please assign an overall rating for the competencies described above by placing an "X" in the appropriate box. You may assign only one rating.

Does Not Meet Expectations	Meets Expectations	Exceeds Expectations
	M	





