



**ACTION TAKEN
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
FEBRUARY 16, 2016**

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Reverend James Tippins, Senior Chaplin of Baptist Medical Center Nassau.

4. PROCLAMATION / PRESENTATIONS

4.1 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, accepted the Proclamation.*

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

4.3 PRESENTATION – FERNANDINA BEACH MAIN STREET PROGRAM - *Mr. Jeff Kurtz of Fernandina Beach Main Street provided a synopsis of projects occurring within each of the four Main Street Councils (Promotions, Economic Restructuring, Organization, and Promotion).*

4.4 BUDGET SUMMARY - *Controller Patti Clifford was available to answer questions regarding the budget summary for November 2015.*

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA - *The following individuals spoke to this item: Ms. Joan Bean, Mr. Merdardo Monzon, and Mr. Clinch Kavanaugh.*

6. CONSENT AGENDA

6.1 SOLE SOURCE PURCHASE APPROVAL – TRINITY ELECTRICAL SERVICES, INC. - *RESOLUTION 2016-16. 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.*

ACTION TAKEN: 5-0 Approved

- 6.2 **SOLE SOURCE PURCHASE APPROVAL – R & R PRODUCTS - RESOLUTION 2016-17.** *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.*
ACTION TAKEN: 5-0 Approved
- 6.3 **FACILITIES USE AGREEMENT - TEAM FERNANDINA STINGRAYS - RESOLUTION 2016-18.** *Synopsis: Approves the Facilities Use Agreement with Team Fernandina Stingrays.*
ACTION TAKEN: 5-0 Approved

7. RESOLUTIONS

- 7.1 **BUDGET AMENDMENT – COMMUNITY DEVELOPMENT DEPARTMENT - RESOLUTION 2016-19.** *Synopsis: Approves the transfer of funds from the Code Enforcement Part-time account to the Code Enforcement Salaries account.*
ACTION TAKEN: 5-0 Approved
- 7.2 **BUDGET AMENDMENT – FIRE DEPARTMENT - RESOLUTION 2016-20.** *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.*
ACTION TAKEN: 5-0 Approved
- 7.3 **BUDGET AMENDMENT – FIRE DEPARTMENT - RESOLUTION 2016-21.** *Synopsis: Approves an amendment to the budget increasing the General Fund Other Revenue account and increasing various Fire Department salary related accounts.*
ACTION TAKEN: 5-0 Approved
- 7.4 **AGREEMENT APPROVAL - FIRST SOUTHWEST ASSET MANAGEMENT, LLC - RESOLUTION 2016-22.** *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.*
ACTION TAKEN: 5-0 Approved
- 7.5 **AWARD OF BID # 15-06 – R.C. SYSTEMS, INC. – RESOLUTION 2016-23.** *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.*
ACTION TAKEN: 5-0 Approved

8. ORDINANCES – FIRST READING

- 8.1 **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.*
ACTION TAKEN: 5-0 Approved
- 8.2 **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.

ACTION TAKEN: 5-0 Approved

9. ORDINANCE – SECOND READING

9.1 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.*

ACTION TAKEN: 5-0 Approved

10. BOARD APPOINTMENTS

10.1 BOARD OF ADJUSTMENT – 1 appointment.

ACTION TAKEN: 5-0 Approved (appointed Mr. Barry Hertslet)

10.2 GREENS & OVERSIGHT COMMITTEE – 1 appointment.

ACTION TAKEN: 5-0 Approved (appointed Ms. Jayne Paige)

10.3 PARKS & RECREATION ADVISORY COMMITTEE – 1 appointment.

ACTION TAKEN: 5-0 Approved (appointed Ms. Trudie Richards)

11. DISCUSSION – DIRECTION – ACTION ITEM

11.1 CITY ATTORNEY EMPLOYMENT AGREEMENT / PERFORMANCE EVALUATION – This item is placed on the agenda at the request of Vice-Mayor Lentz.

ACTION TAKEN: The consensus of the City Commission was to have a Workshop February 24th to clarify the City Attorney’s Roles and Responsibilities.

12. CITY MANAGER REPORTS

THANKS: City Manager Martin thanked the City Commission for their participation in last week’s Organizational Workshop, which provided strong direction for staff and him to move forward. He also thanked Mr. Campbell for the tour of WestRock.

MONTHLY DEPARTMENT WORK DAY: City Manager Martin reported that tomorrow he would be working at Golf Course as part of his monthly departmental work days.

AIRPORT INSPECTION: City Manager Martin pointed out there was an Airport Inspection scheduled for Thursday by the Florida Department of Transportation (FDOT).

PECK CENTER: City Manager Martin stated there will be a Peck Center historic marker dedication ceremony scheduled for Friday morning at 11:30 am.

CHILI COOK OFF: City Manager Martin announced that this Saturday was the chili cook off downtown.

PORT CHARTER REVIEW: City Manager Martin reported that the new Citizen Port Charter Review Committee Meeting was scheduled for next Tuesday in the City Commission Chambers.

MEETING: City Manager Martin reminded the City Commission that next Tuesday evening there was the Joint Meeting with the Planning Advisory Board.

FEMA FLOOD MAP: City Manager Martin stated the FEMA flood map release was scheduled for February 24th.

CONGRATULATIONS: City Manager Martin extended his congratulations to his brother-in-law, Mr. Paul Rogers who was being promoted to Brigadier General on Saturday in the Michigan National Guard.

CONDOLENCES: City Manager Martin extended his condolences on the passing of Mr. James Boyd who was a 25 year veteran of the Fernandina Beach Police Department, and his funeral is scheduled for **Friday**.

13. CITY ATTORNEY REPORTS - The City Attorney had no reports at this time.

BOARD VACANCIES: City Clerk Best reported the City has several board vacancies: Arts and Culture Nassau (two), Board of Adjustment (one alternate), Code Enforcement and Appeals Board (two alternates), and Historic District Council (two alternates). She encouraged citizens to go online to fill out the board application or come to the City Clerk's office for an application. Commissioner Poynter suggested getting the word out to the news media to put a notice that the City is looking for people to sit on these boards. City Clerk Best explained she would contact the media as well as provide the information to Ms. Burke to put it on the City's Facebook page.

THANKS: City Clerk Best thanked the Mayor and the Fire Chief for attending the Thiokol Memorial Event to represent the City of Fernandina Beach.

TRANSITIONING ADULTS PROGRAM: City Clerk Best commented the City was hosting the Transitioning Adults Program for Nassau County Schools on March 11th from 10 to noon. She stated during this time students will have the opportunity to see the City Commission chambers, talk with first responders first hand, have an opportunity to see fire apparatus as well as police vehicles, and tour the City Marina.

15. MAYOR/COMMISSIONER COMMENTS

RAYONIER: Vice-Mayor Lentz reported she attended Rayonier's open house, and commented Rayonier did a great job putting that together.

RECOGNITION: Vice-Mayor Lentz recognized the efforts of the Community Development Department (CDD) for the 8th Street walking tour, which had 25 to 30 people. She commented everyone had great questions and suggestions. She also recognized CDD's outreach efforts for the events at the Atlantic Recreation Center, the Golf Course clubhouse, and the Peck Center.

THANKS: Vice-Mayor Lentz extended her thanks to 8 Flags Playscapes who has partnered with Parks and Recreation for the ground breaking ceremony for enhancements to Egans Creek Park. She also thanked the Amelia Island Book Festival.

ATM REPORT: Vice-Mayor Lentz questioned when the ATM report was due, and wasn't the due diligence up March 1st. City Attorney Bach reported she talked with ATM today and the last thing they were waiting on was the Florida Department of Environmental Protection (FDEP) to tell us what we can do on the submerged lands on the property just to the south. She explained she would be contacting FDEP tomorrow and she was working closely with Mr. Buddy Jacobs who represents the property owner. She stated her hope was to do it at the March 1st meeting, but there may be the need to call a Special Meeting. She pointed out she has that deadline in mind.

ALACHUA STREET: Vice-Mayor Lentz commented there seemed to be legal issues with the Florida Department of Transportation (FDOT) and the opening of Alachua Street. She stated she liked that the Deputy City Manager would be giving an update to the CRA Advisory Board. She expressed her hope that the City Commission would continue to receive weekly updates between the Deputy City Manager and the City Attorney. City Attorney Bach briefly summarized that FDOT has in the regulations for opening railroad crossings there is a process where they can unilaterally open up a rail crossing, and then the railroads have 21 days to object to that. She stated after that objection period is over then at that point FDOT makes the decision.

WORKSHOP: Vice-Mayor Lentz inquired about a date for a Workshop to come up with common goals for the City Attorney. City Attorney Bach pointed out it starts with the City Charter and her contract in terms of what her duties and responsibilities are. She commented the evaluation period also comes into that, and reminded the City Commission that she encourages City Commissioners to talk with her anytime there are issues or concerns. She stated from that she can provide examples that she has worked on that aren't necessarily things that are part of her duties. She pointed out she was always available to City staff, directors, and the City Manager in management decisions. She noted that Commissioner Poynter wanted to hear from the City Manager on his experience with City Attorneys (in-house or contract). She explained there are hundreds of contracts every year that she reviews that don't come to the City Commission because the dollar amount is small. She commented a couple years ago a Commissioner asked her to track her time and she did that for a month and provided it to the City Commission. There was a brief discussion about when to have a Workshop to have a discussion about the roles of the City Attorney. ***The consensus of the City Commission was to meet February 24, 2016 at 1 pm.***

CODE ENFORCEMENT: Commissioner Smith referred to his comments about Code Enforcement at the Workshop and noted the City could rewrite the Ordinances. He requested to start proceeding with that process.

VENTURO PROPERTY: Commissioner Smith referred to the Venturo property and inquired when the City would ask for an extension. City Attorney Bach stated she did not know that the City would have the request granted. She explained the goal was to shoot for setting a closing date, which might happen after March 1st. She pointed out the bank has filed a foreclosure on the property, but it still could be sold before the foreclosure is final. She stated she didn't think the City would get a request granted for an extra 90 days after March 1st. There was a brief discussion about this and it was noted the City would need an easement to build docks from the adjoining property owner, Mr. Simmons.

SUNSHINE TRAINING: Commissioner Smith inquired about a rescheduled date for the Sunshine Training. City Clerk Best explained Ms. Peterson had to cancel the training due to illness, and her calendar is extremely full. She stated at this point Ms. Peterson was not available for the next two months. She reminded the City Commission that there is a new requirement that elected officials obtain 4 hours of ethics training annually. She explained the City Commission can obtain that training online. Vice-Mayor Lentz inquired if there was an internal training that could be done for the two new Commissioners and the City Manager. Commissioner Poynter explained online they have the same thing as what you would get sitting in an audience. It was noted that Commissioner Kreger was previously on the Planning Advisory Board and had the Sunshine training. City Clerk Best reported she met with Commissioner Smith and had an in depth discussion regarding Sunshine.

THANKS: Commissioner Poynter thanked the City Commission and expressed his appreciation for everyone's insight and what they bring to the table. He stated it's an honor to serve on this Commission.

NORTHEAST FLORIDA REGIONAL COUNCIL: Commissioner Kreger reported that he attended an orientation with the Northeast Florida Regional Council (NEFRC) and the first meeting. He stated the St. Johns River Water Management District (SJRWMD) Director was at the meeting, and she stated that St. Johns has increased by 3 times the cost share available. He pointed out that was money for water, storm water, flood water, etc. He commented that NEFRC does dispute resolution, and noted that the Alachua crossing seems that the railroad wasn't too receptive. He stated it might be nice to bring in a third party for this type of thing.

EVENTS: Commissioner Kreger stated he attended the open house and the attendance was great, and he also attended the Egans Creek Park groundbreaking. He commented he met with the Council on Aging related to transportation issues, and pointed out they are the only public transportation in the County. He reported the local mitigation strategy has been approved by the State of Florida and by FEMA, and most of the floodwater projects were in the local mitigation strategy.

PECK CENTER: Mayor Miller inquired if there was another Commissioner that could attend the Peck Center historic marker presentation just in case he can't get away from work. Vice-Mayor Lentz stated she was available.

MOMENT OF SILENCE: Mayor Miller noted that Mr. Boyd served 25 years as a Patrol Office for the City. He held a moment of silence in memory of Mr. Boyd and to honor all the law enforcement officers in the community.

16. ADJOURNMENT 8:01 P.M.