



AGENDA
FERNANDINA BEACH CITY COMMISSION
WORKSHOP
JULY 6, 2021
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - 3.1 PROCLAMATION POLICY AND PROCEDURE** - *This item is placed on the agenda at the request of Mayor Lednovich.*
 - 3.2 N. FRONT STREET/ALACHUA STREET** - *This item is placed on the agenda at the request of Mayor Lednovich.*
 - 3.3 BUILDING DEPARTMENT WORKSHOP REVIEW** - *This item is placed on the agenda at the request of City Manager Dale L. Martin.*
- 4. ADJOURNMENT**

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE. AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.

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 SPECIAL MEETING: May 6, 2014

DISCUSSION ITEM: Proclamation Policy and Procedures

SUMMARY: The City Commission, at their March 18, 2014, Regular Meeting, discussed proclamation policy and procedure. The consensus was to direct the City Clerk and City Attorney to research other municipalities' processes. Accordingly, the following information is presented at the request of the City Commission:

- *italicized* text represents excerpts from Florida clerks explaining their proclamation procedures.
- Exhibit "A" is a sampling of proclamation policies and guidelines from municipalities across the United States.

• **City of Brooksville, Florida**

No written policy. *"Anyone can request one through the City Clerk or City Manager's office, which gets approved by the Mayor to put on the agenda. Also, we do Mayoral proclamations sometimes as well. So, anyone can request one and I've never known a request to be denied."*

• **Town of Orange Park, Florida**

No written policy. *"In practice, a citizen or group can request one. The Clerk's Office or Manager's Office gets approval from the mayor or a council member before proceeding. It is possible, but rare, for a council member to request one."*

• **City of Belle Glade, Florida**

No written policy. *"Requests are usually presented to the City Clerk who presents it to the Mayor for consideration. The Mayor is the only one who has vested authority to issue a proclamation."*

• **City of Atlantic Beach, Florida**

No written policy. *"Requests for proclamations can come from anyone for any reason. All requests are sent to the Mayor for consideration. If the Mayor agrees to have a proclamation, the City Manager's Office or sometimes City Clerk's Office prepares one for the Mayor's signature. It does not require a vote from the Commission and can be presented at any time."*

• **City of Palatka, Florida**

No written policy. *"Anyone can request a proclamation. The requests come to the Clerk's Office, the Mayor, City Manager's office, etc., from anyone for any reason. Many are requested by the Mayor, some by City Commissioners. Aside from the usual annual proclamations to recognize a cause or federal designation, such as Women's History Month or fundraising campaign i.e. Aviation Awareness Month, Bike Florida Celebration, Colon Cancer Awareness, March of Dimes Fundraising Days, Uncle Ed's 90th Birthday, etc., we do one or two a week (sometimes more) for local events. Many are read and issued to the requesting or receiving party during commission meetings, and others are read and issued by the Mayor (and on occasion a Commissioner, if the Mayor is not available) at public appearances."*

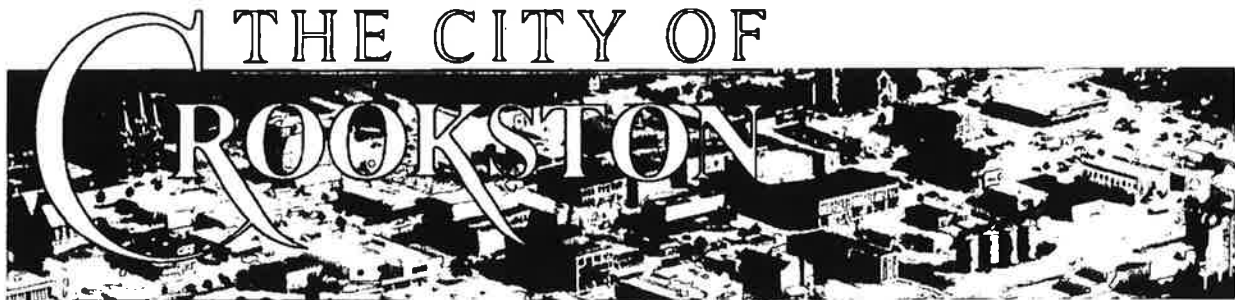
• **Indian River Shores, Florida**



No written policy. *“Other than internally-initiated (e.g., retirement, resident recognition, etc.) proclamations, we have traditionally responded to all requests, which weren’t very many, by providing the requested Proclamation. It requires a majority vote to be presented. However, there have been some elected officials who are not so ready to endorse any or everything. They have on occasion recently declined to approve them, or not included on the agenda. Requests come through the FLC or other agencies to the Clerk’s Office and are forwarded to the Town Manager and/or Mayor for their decision prior to be included on the agenda.”*

- **City of Neptune Beach, Florida**

No written policy. *“If someone makes a request, and the Mayor wants to do it the City Clerk’s office prepares it and she presents it at an event or Council meeting. They are not placed on an agenda for a vote of the Council.”*

Exhibit "A"

[Home](#)
[Visitors](#)
[Residents](#)
[Business](#)
[Government](#)
[Calendars](#)
[Contact](#)

[Home](#) » [Government](#) » [City Government](#) » City of Crookston Proclamation Policy

[City Government](#)
[Departments](#)
[Boards and Commissions](#)
[FAQ](#)

[Mayor](#)
[City Council](#)
[Wards](#)
[Charter](#)
[Code Book](#)
[Meetings](#)
[Finances](#)
[Proclamation Policy](#)
[Zoning](#)

External Links

[Polk County](#)
[State of Minnesota](#)



City of Crookston Proclamation Policy

PURPOSE: To establish policies, guidelines, and procedures for responding to public requests for proclamations.

POLICY: It is the policy of the City Council to consider requests to proclaim certain events or causes, when such proclamations positively impact the community and convey an affirmative message to residents.

The following guidelines and requirements apply to requests for consideration of proclamation:

1. The person(s) making the request should be a Crookston resident(s).
2. If possible, the request should be made at least four weeks in advance of a regularly scheduled City Council meeting.
3. A local citizen should agree to be in attendance to accept the proclamation.
4. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.
5. The City of Crookston retains the right to decide if the proclamation will be issued or not.

PROCEDURE:

1. The person(s) making the request must submit a completed application requesting a City Proclamation.
2. The applicant must include bullet points or background highlights as part of the proclamation request. The bullet points or highlights must not exceed five.
3. The Mayor will determine if the proposed proclamation meets the intent of this policy.
4. Once approved, the proclamation will be added to the appropriate City Council agenda. It is preferred that the proclamation be signed and pictures taken at the meeting.
5. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

Attachment:

[1-4 Proclamation Application](#)

2014 City of Crookston, Minnesota

CITY OF CROOKSTON

PROCLAMATION POLICY

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CITY OF CROOKSTON

APPLICATION TO REQUEST CITY PROCLAMATION

Requests for City Proclamations must be submitted four weeks prior to the requested Council meeting date. The City Council meets the 2nd and 4th Monday of the month.

TOPIC & PURPOSE OF PROCLAMATION: _____

INDIVIDUAL, AGENCY, OR ORGANIZATION SPONSORING THE PROCLAMATION: _____

LOCAL RESIDENT ATTENDING COUNCIL MEETING TO RECEIVE PROCLAMATION:

Name Phone

COUNCIL MEETING DATE REQUESTED: _____

REQUESTED BY: _____

Name

Address

Phone

PLEASE FILL IN UP TO FIVE BULLET POINTS:

➤ _____

➤ _____

➤ _____

➤ _____

➤ _____



CITY OF CEDAR PARK PROCLAMATION POLICY

Policy

The City of Cedar Park will issue a proclamation at no charge to citizens who wish to recognize individuals for their outstanding achievements in the community, nonprofit organizations, special events or days that are exemplary or special.

Proclamations *are not* issued for commercial purposes, such as the opening of a new business, a new service, a new product or a new professional service. This also includes business anniversaries that are less than 100 years.

In addition, proclamations *are not* issued for deceased persons, retirements, birthdays, weddings, or family reunions.

Groups or citizens seeking proclamations year after year *must provide new* information for the proclamation. Individuals who request the same proclamation year after year with only date changes will *not* be issued new proclamations.

Procedure

A request for a proclamation must be made in writing to the City Secretary's Office at least 2 weeks prior to the date that will be proclaimed or the date the document will be presented. Each request must be accompanied by the name and telephone number of a person who can answer additional questions about the proposed proclamation.

Individuals or groups seeking a proclamation must accompany the request with:

1. Facts about the subject matter – enough information to make 4 points.
2. Specific title of what will be proclaimed
3. Date of the proclamation and date to be presented

The Mayor of Cedar Park will make the final decision on whether a proclamation is issued or not. No proclamations are issued to non-residents or for a non-Cedar Park event unless specifically approved by the Mayor of Cedar Park.

All proclamations must be picked up at the City Secretary's Office unless prior arrangements are made.

The original proclamation will be presented to the citizen who requested it at no cost. A \$20 administrative fee will be charged for each additional copy of the proclamation that is requested.

Any proclamation to be presented to a city board, commission, or department must be approved in advance.

CITY OF CEDAR PARK PROCLAMATION REQUEST FORM

Name of Individual/Group/Organization Requesting Proclamation:

Name of Proclamation:

Date of Proclamation:

What you want proclamation to say (Need enough information for 4 points)

Whereas: _____

Whereas: _____

Whereas: _____

Whereas: _____

Contact Information

Name: _____

Address: _____

Phone Number: _____ **Fax Number:** _____

Email: _____

Date you would like to pick up the proclamation at City Hall: _____

TOWN of CARY

> Home > Departments > Town Clerk's Office > Proclamation Request Guidelines and Procedure

Proclamation Request Guidelines and Procedure

Town of Cary Proclamation Request Guidelines and Procedures

Proclamations are ceremonial in nature and are provided by the mayor as a service to Town of Cary residents, employers, and Town employees, with the goal of honoring and celebrating Cary people and events and increasing awareness of noteworthy issues among citizens throughout the Town. These public service documents are strictly honorary and are not legally binding. Issuance of a proclamation does not necessarily constitute an endorsement by the Town of Cary government.

Proclamations are reviewed on a case-by-case basis to ensure compliance with these guidelines and procedures. For consistency and to ensure we are treating everyone equitably, the mayor will only issue a proclamation that complies with the guidelines. For additional information or questions, please contact the Town Clerk's Office at (919) 469-4011.

Guidelines

1. Proclamations must support the Town's Mission Statement and Statement of Values.
2. We will only issue proclamations for Cary residents or for Town of Cary events.
3. For retirement proclamations the person must have been employed with their current employer for 25 years or more.
4. For birthday proclamations the person must be at least 75 years of age.
5. For wedding, church, or pastoral anniversary proclamations the anniversary must be 25 years or more.
6. Any proclamation request for a Town board, commission or committee member must be approved in advance by the clerk's office.
7. Any proclamation request for a Town employee must be approved in advance by the department director.
8. Annual or other repeat requests must be made in writing for each occasion in accordance with these guidelines. Proclamations are not automatically renewed.
9. Only a Town-recognized event, sponsored in whole or in part by the Town of Cary government, may be used as part of an advertisement or commercial promotion.

Unfortunately, we cannot issue proclamations for commercial purposes, such as the opening of a new business, a new service, a new product, or a new professional service.

We will not issue proclamations taking sides in matters of a political issue, addressing personal convictions, campaigns, or events.

Generally, we will not issue backdated proclamations.

Procedure

All requests for proclamations must be made in writing to the Town of Cary Town Clerk's Office at least 10 business days prior to the date when the proclamation is needed. To make a request please send an email with "Request for Proclamation" in the subject line to mary.fealey@townofcary.org or mail the request to the Town Clerk's Office, Town of Cary, P.O. Box 8005, Cary, NC 27512-8005. Each request must be accompanied by the name, telephone number and email address of a person who can answer questions about the proposed proclamation. We regret that we cannot honor phone requests due to the large volume of requests we receive.

Individuals or organizations seeking a proclamation must include the following information with the request:

- Name of organization;
- Proposed text for the proclamation, including facts about the subject matter and enough information to make four points. Avoid repetition, and emphasize the most important items or issues;
- Specific title of what will be proclaimed, including name, day of the week, or month to be proclaimed;
- Date of the proclamation presentation;
- Date the proclamation is needed; and
- Action to be taken when the proclamation is ready for pickup (person to be notified either by telephone or email when the proclamation is ready).

Any draft language submitted is subject to editing or revisions.

Once a proclamation request is made, the Town Clerk's Office, on behalf of the mayor, will contact the person requesting the proclamation to notify them of the status of the request.

The original proclamation will be issued to the individual or organization (including individual recipients) at no cost.

All proclamations must be picked up at the Town Clerk's Office unless prior arrangements are made.

The following sample proclamations may be used as a guide when preparing your request and are available on the Town's website:

Birthday
Anniversary
Retirement
Arts & Humanities
Lyme Disease



Cary Town Hall, 316 N. Academy St., Cary, NC 27513 (919) 469-4000
[About the Site](#) | [Privacy & Security](#) | [Feedback](#)

I WANT TO BAYTOWN INFO GOVERNMENT RESIDENTS BUSINESSES PARKS/REC SAFETY/HEALTH JOBS MEDIA CENTER ASK

BAYTOWN

THE CITY OF BAYTOWN
WHERE OIL AND WATER REALLY DO MIX

Enter keywords

Search

Text size: - +

Thursday, April 03, 2014

UTILITY PAYMENT

Make Your Utility Payment Here!

Request for Recognition/Proclamation

The City of Baytown takes pleasure in honoring local and national organizations, events, and individuals for exceptional humanitarian efforts by presenting them with an official proclamation or other recognition from the Mayor of the City of Baytown. Due to the number of requests the city receives, however, the following guidelines have been implemented for requesting recognition.

Guidelines

Proclamations are ceremonial documents, signed by the Mayor and issued for:

- public awareness campaigns
- charitable fundraising campaigns
- arts and cultural celebrations
- special honors (on the recommendation of the Mayor or City Manager)

Proclamations will not be issued for:

- matters of political controversy, ideological or religious beliefs, or individual conviction
- events or organizations that do not benefit the community of Baytown
- campaigns or events contrary to City policies or by-laws
- Campaigns intended for profit-making purposes
- Business anniversaries under 25 years, weddings, family reunions, retirements and the deceased

If a request does not meet the guidelines for a proclamation, the Mayor may approve your request for another type of recognition (Congratulations, Commendation, Recognition, Appreciation, etc.).

Procedure for Proclamations

The Mayor of Baytown will make the final decision on whether a proclamation is issued or not. No Proclamations are issued to non-residents or for a non-Baytown event unless specifically approved by the Mayor.

A copy of the proclamation may be requested by the individual(s) or organization(s) who request it at no cost.

In most cases, approved proclamations will be presented at a City Council Meeting. Please plan your proclamation requests in conjunction with the City Council Meetings. The Baytown City Council typically meets the 2nd and 4th Thursday of every month at 6:30 p.m.

A request for a proclamation must be made at least two weeks prior to the date that the proclamation will be presented at the City Council Meeting. To make the request online please use our online **Recognition/Proclamation Request Form**.

A sample proclamation is available [here](#).

If your recognition does not need to take place at a City Council Meeting, please submit your request at least two weeks prior to the event.

If you would like the Mayor or another City Official to present your recognition at an event other than a City Council Meeting, Please indicate this on a request form.

Recognition/Proclamation Request Form Sample Proclamation Proclamation

[Calendar](#)

BAYTOWN WEATHER

Overcast, mist
Temperature 73.4 °F

WELCOME CENTER

City Calendar
Customer Service Survey
Sterling Municipal Library
Online Services
Municipal Code
Chamber of Commerce
Visitors Center

FOLLOW US



Baytown Alert

Sign up for
Emergency Notifications

Wind: SSE (160°), 11.5 mph
Rel. Humidity: 89 %
Visibility: 2 mi
Sunrise: 6:09am -0600
Sunset: 6:40pm -0600
Last updated April 3, 2014 - 11:50am

Get the forecast

GIS & Transportation Maps
Frequently Asked Questions
Financial Transparency
Contact the City of Baytown
Employment Opportunities
Civil Service Exam Results
Web Site Feedback

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Select Language ▼

Amelia Island Chamber Music Festival representative to Arts and Culture Nassau. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

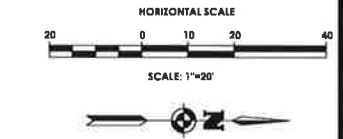
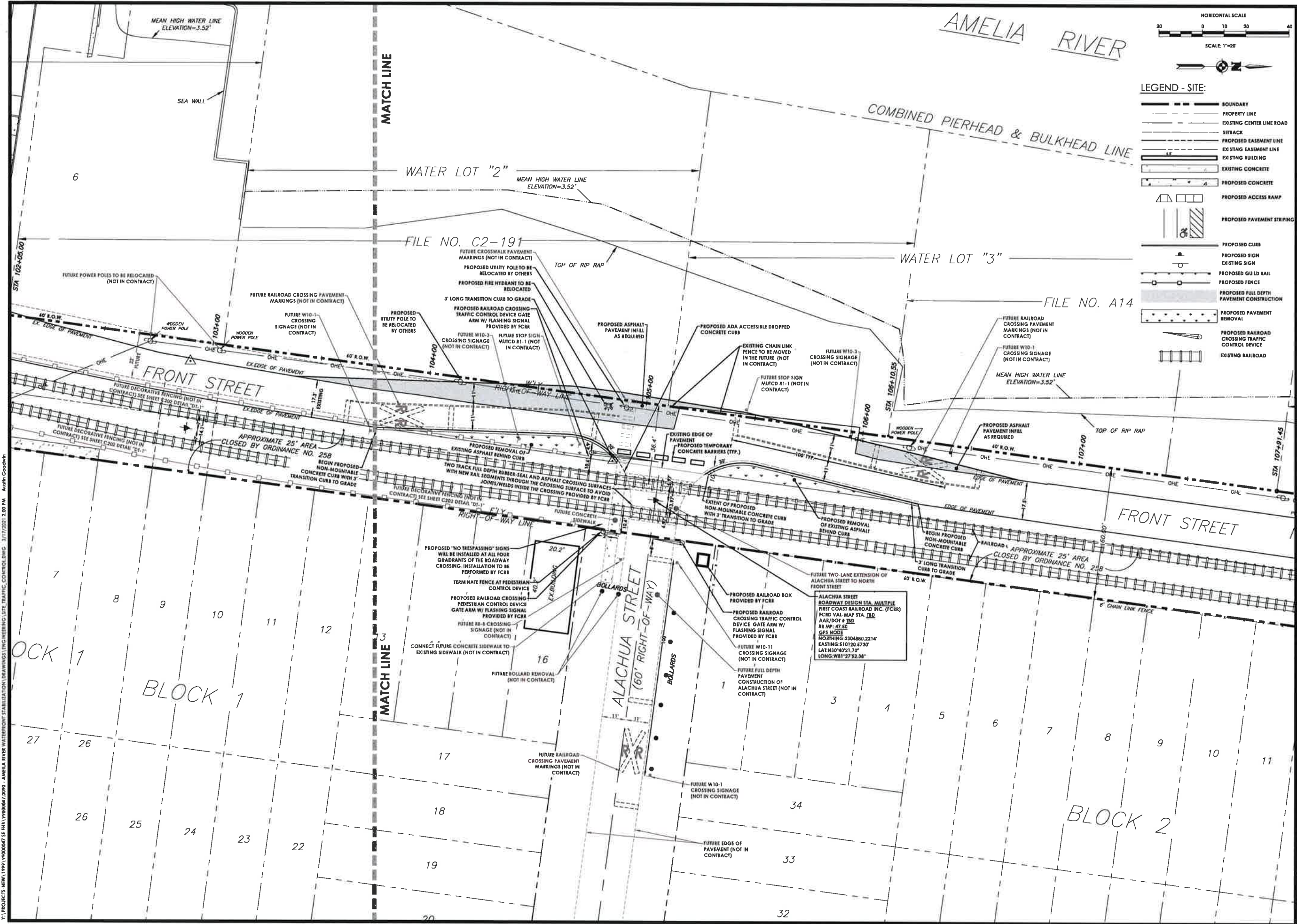
5.3 CRA ADVISORY BOARD: According to the agenda support documents, there was one (1) appointment to the CRA Advisory Board. **A motion was made by Vice-Mayor Pelican, seconded by Commissioner Miller, to appoint Mr. Rick Daniel for the vacancy on the CRA Advisory Board. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.1 PROCLAMATION POLICY & PROCEDURE: Vice-Mayor Pelican questioned if generally the City Clerk's Office has been contacted with regards to Proclamations. City Clerk Best explained that what she has been able to ascertain is that there are a variety of ways that Proclamations are brought before the City Commission. She stated that there are annual Proclamations that are done on a national level, and sometimes residents reach out to ask for a Proclamation. She commented that often a Commissioner will ask for a Proclamation or the Mayor would ask for a Proclamation. She explained that generally the City Clerk's Office has honored those requests. Vice-Mayor Pelican inquired if there is a log. City Clerk Best replied that the City Clerk's Office has electronic files and those are referenced every month to see what was done in the previous years. Mayor Boner commented that he was concerned with having an exceptionally large number of Proclamations. It was noted that for the last meeting the City Manager cut some of the Proclamations from the agenda. Commissioner Gass stated that she didn't want such a long list that it takes away from the importance of it all. There was some discussion and deliberation about the best way to proceed with Proclamations. ***The consensus of the City Commission was to use a common sense approach and the City Clerk's Office and City Manager's Office will work with Commissioners on new Proclamations moving forward***

6.2 OLD TOWN BLUFF & PLAZA: Community Development Department (CDD) Director Adrienne Burke reminded the City Commission about the meeting where it was requested the City to find out more information about the bricks that are exposed at low tide at the bottom of the bluff and to find a way to protect the plaza from vehicular traffic. She explained that when she spoke with the Division of Historical Resources the City could list it on a Florida Master Site File form, which is a State listing of historical resources. She pointed out that it can be listed on the National Register and Mr. Harrison helped her fill out the first form. She explained that with this they didn't have an owner signature, because it isn't the City's property. She referred to a plaza barrier and stated that there has been discussion with the State Park since the proposed fencing wasn't favored by some. She pointed out that the State communicated with staff about the potential to do some muhly grass. She clarified that the idea was muhly grass on the edges and then at the corners there would be fencing to delineate the corners of the plaza. She stated that the State is willing to maintain that and the estimate for the project was around \$850.

Mr. Mike Harrison, 820 Someruelus Street, explained that the muhly grass would be planted on the City right-of-way (about 6 inches outside of the plaza lot line). He expressed his opinion that this definition would keep people from driving across the plaza. He commented that the plan also included a small turn around area at the river end of White Street to allow the trolley to turn around. He stated that the parking would be between the street and the muhly grass.

Ms. Jennifer Harrison, 820 Someruelus Street, presented a rough sketch of things that could be done for the riverfront in Old Town. She stated that it could be made into an interesting destination for tourists and residents to enjoy at an extremely low cost. She briefly commented about this including the idea of having interpretive signs along the way, having steps down the bluff, and a simple viewing area at the end of Garden Street. She reminded the City Commission about having the mill remove the gate from Garden Street and suggested the idea of having a pocket park there. Mayor Boner inquired if the City has heard anything back from Rock Tenn. City Attorney Bach replied not yet and



- LEGEND - SITE:
- BOUNDARY
 - PROPERTY LINE
 - EXISTING CENTER LINE ROAD
 - SETBACK
 - PROPOSED EASEMENT LINE
 - EXISTING EASEMENT LINE
 - EXISTING BUILDING
 - EXISTING CONCRETE
 - PROPOSED CONCRETE
 - PROPOSED ACCESS RAMP
 - PROPOSED PAVEMENT STRIPING
 - PROPOSED CURB
 - PROPOSED SIGN
 - EXISTING SIGN
 - PROPOSED GUILD RAIL
 - PROPOSED FENCE
 - PROPOSED FULL DEPTH PAVEMENT CONSTRUCTION
 - PROPOSED PAVEMENT REMOVAL
 - PROPOSED RAILROAD CROSSING TRAFFIC CONTROL DEVICE
 - EXISTING RAILROAD



95% REVIEW SET.
NOT FOR CONSTRUCTION



City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

Passero Associates

4730 Casa Cole Way, Suite 200
St. Augustine, FL 32085
(904) 757-6106
Fax: (904) 757-6107

No.	Date	By	Description

UNAUTHORIZED USE OF THESE DRAWINGS IS IN VIOLATION OF FLORIDA ADMINISTRATIVE CODE 61G15-27.001 AND FLORIDA STATUTES 471.033(1). THESE PLANS ARE COPYRIGHT PROTECTED. ©

ALACHUA STREET
SITE PLAN
DOT TBD
SMA 47.50

Amelia Riverfront-
RR Crossings

Town/City: Fernandina Beach
County: Nassau State: Florida

Project No.:
99000047.0098

Drawing No.:
C 104

Date:
MARCH, 2021

\\projects-new\1991\99000047\0098 - AMELIA RIVER WATERFRONT STABILIZATION DRAWINGS\ENGINEERING SITE\TRAFFIC CONTROL.DWG 3/17/2021 2:00 PM Austin Goodwin



City of Fernandina Beach
Office of the City Manager

Mr. Dale L. Martin
dmartin@fbfl.org

April 20, 2021

To: City Commission

From: Dale L. Martin, City Manager

DLM

Re: Building Department Workshop Tasks

At the April 6 City Commission Workshop, several comments were provided to the City Commission, leading to the direction from the City Commission for specific responses to the concerns raised. Please see the responses below.

-Review the concept of a construction appeals board.

Two boards for appeals currently exist: at the City level, the Code Enforcement and Appeals Board (see attached), and at the State level, the Florida Building Commission (division of Department of Business and Professional Regulation). I recommend that the City Commission first review the backgrounds and qualifications of current Code Enforcement and Appeals Board members, and, if appropriate, solicit City residents with appropriate qualifications to serve on the Code Enforcement and Appeals Board.

-Develop a format of customer feedback to be associated with each permit.

A Suggestion Box is currently located in the Building Department lobby. Building Department feedback forms are currently available in the Building Department lobby/counter. With the transition to online permitting, staff is developing an online feedback form. The proposed form will be presented to the City Commission on Jul 6.

-Review and report on the implementation of body cameras for in-field Building Department personnel.

CPT Jim Norman of the Fernandina Beach Police Department has provided the costs associated with the acquisition of body cameras and the storage of data (see attached). City Commissioners should provide direction on the implementation of body cameras, including the development of policies and procedures (operations, privacy, public access, storage, etc.) for the use of body cameras by Building Department staff.

-Review and report on the permit application review/approval process.

Staff is preparing to utilize a private provider for Building Department plan reviews. Permit review has transitioned from a sequential process to a simultaneous process, which should expedite permit approval and issuance. Additional information related to permit review, approval, and issuance will be provided to the City Commission on Jul 6.

-Review and report on permitting requirements.

Staff is reviewing possible changes to permitting requirements such as smaller scale projects (sheds, ramps, carports, pergolas, etc.). Staff recommendations will be presented to the City Commission on Jul 6.

-Review and report on permitting fees.

A Building Department fee study was recently completed and is available for review. Proposed fees will be part of the City's annual budget development (to be implemented on Oct 1).

-Develop/implement Customer Service Training program.

The City has access to online libraries of training videos, including general customer service, de-escalation, ethics, and specific videos related to construction administration and safety. A report of training activities will be presented to the City Commission on Jul 6. Additionally, professional leadership and management training has been preliminarily offered by Ms. Cindy Jacoby (BizHelp Consulting; a member of the Nassau County Chamber of Commerce), who has previously led professional development and team-building efforts with the City Commission. If interested, a formal proposal for such training can be solicited (or other recommendations for such training examined).

-Seek preliminary interest from Nassau County staff regarding the consolidation of Building Department operations.

Correspondence was sent to Nassau County staff on April 14 (see attached).

If you have any questions or comments, please contact me.

DIVISION 1. - CODE ENFORCEMENT

Sec. 2-381. - Establishment.

There is hereby established a board to be called the code enforcement and appeals board.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06)

Sec. 2-382. - 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:

Authority having jurisdiction (AHJ) means the duly appointed fire chief or fire marshal of the city.

Board has the same meaning as enforcement board below.

Building official means the building official of the city, as the enforcement officer of the Standard Unsafe Building Abatement Code.

City attorney means the Charter Officer and Legal Counselor for the City of Fernandina Beach.

City commission means the legislative body of the City of Fernandina Beach.

City Code and City Ordinances means the Code of Ordinances of the City of Fernandina Beach, as amended from time to time, and city ordinances enacted by the city commission to be codified into the Code of Ordinances of the City of Fernandina Beach.

Code inspector or *code enforcement officer* means any authorized agent or employee of the city whose duty it is to assure code compliance.

Enforcement board or *code enforcement board* means the city code enforcement and appeals board.

Fire codes means the Florida Specific edition of NFPA 101, the Life Safety Code, and the Florida specific edition of NFPA 1, the Uniform Fire Code, as adopted within chapter 69A-60, Florida Administrative Code, of the Florida Fire Prevention Code, all as adopted by the state fire marshal and the city commission pursuant to law.

Fire marshal means the same as the authority having jurisdiction (AHJ), and the terms may be used interchangeably for the purposes of this article.

Local governing body or *city* means the City of Fernandina Beach.

Local governing attorney means the city attorney or any attorney designated by the city commission to represent the code enforcement and appeals board.

Member means a regular member of the enforcement board, or an alternate member when the alternate member has been seated due to the absence or disqualification of the regular member.

Person means an individual, firm association, organization, partnership, company, corporation, or any other business entity, trust, whether government or private.

Repeat violation means a violation of a provision of a code or ordinance by a person who has been previously found by the special magistrate(s), through a code enforcement board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within five years prior to the violation, notwithstanding the violations occur at different locations.

Special magistrate: any special magistrate appointed by the city commission to hear code enforcement violation cases and/or appeal cases.

Standard Building Code means the Standard Building Code by the South Building Congress International, Inc. in the version as adopted by the city commission.

Standard Unsafe Building Abatement Code means the Standard Unsafe Building Abatement Code by the South Building Congress International, Inc. in the version as adopted by the city commission.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06; Ord. No. 2007-06, § 1, 3-6-07; Ord. No. 2010-38, § 2, 12-7-10)

Sec. 2-383. - Membership; term of office; officers.

- (a) *Appointment of members.* The city commission shall appoint seven regular members and two alternate members to the code enforcement and appeals board.
- (b) *Eligibility for membership.* The following conditions for eligibility for appointment to the board shall apply:
 - (1) *Place of residence.* Each member shall reside in the city.
 - (2) *City employees and members of city commission.* No member of the city commission or employee of the city shall be eligible of membership on the board.
 - (3) *Qualifications.* The membership of the code enforcement and appeals board shall, whenever possible, include persons in the following fields:
 - a. An architect;
 - b. A business person;
 - c. An engineer;
 - d. A general contractor;
 - e. A realtor;
 - f. A subcontractor; and
 - g. A person with zoning and/or building experience.
- (c) *Term of office.* The terms of the members shall be for three years, except that, in the appointment of the first members of the code enforcement and appeals board after July 18, 2006 two members shall be appointed for a term of one year, three members shall be appointed for a term of two years, and two members shall be appointed for a term of three years.

- (d) *Reappointment.* A member may be reappointed upon approval of the city commission for a term of three years.
- (e) *Vacancy.* An appointment to fill any vacancy on an enforcement board shall be for the remainder of the unexpired term of office.
- (f) *Officers.* The members shall elect, by majority vote, a chair and vice chair from among the members. The chair, or, in the absence of the chair, the vice chair, may administer oaths and compel the attendance of witnesses.
- (g) *Secretary.* The code inspector shall serve as secretary to the board and shall make a detailed record of all its proceedings, which shall set forth the reasons for its decisions, the vote of each member, the absence of each member and any failure of a member to vote. The secretary shall keep minutes of all meetings and shall maintain all the records of the board. All approved minutes shall be submitted to the office of the city clerk.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06)

Sec. 2-384. - Vacancies.

Vacancies on the code enforcement and appeals board shall be filled for an unexpired term in the manner in which original appointments are required to be made.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06)

Sec. 2-385. - Compensation of members.

All members of the code enforcement and appeals board shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties as set forth in F.S. Chapter 112.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06)

Sec. 2-386. - Removal of members.

A member of the code enforcement and appeals board shall be automatically removed from the board and the member's seat declared vacant under any of the following conditions:

- (1) If the member moves outside the city.
- (2) If a member has three absences at the board's regular meetings in one calendar year.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06; Ord. No. 2019-23, § 3, 10-15-19)

Sec. 2-387. - Jurisdiction; powers and duties.

- (a) The code enforcement and appeals board shall have the jurisdiction and authority to hear and decide alleged violations of the following:

- (1) City of Fernandina Beach Code of Ordinances;

- (2) State, county and local laws and ordinances whose intent is to promote the health, welfare and safe citizens of the city.
- (b) The jurisdiction of the code enforcement and appeals board shall not be exclusive. Any alleged violation of any of the provisions in subsection (a) may be pursued by appropriate remedy in court at the option of the administrative official whose responsibility it is to enforce that respective code or ordinance.
- (c) The code enforcement and appeals board shall have the powers as set forth in F.S. section 162.08 as may be amended from time to time.
- (d) Additional powers and duties:
 - (1) The code enforcement and appeals board shall also hear issues relating unsafe housing, pursuant to the Standard Unsafe Building Abatement Code as those cases may be brought forth by the Building Official;
 - (2) The code enforcement and appeals board shall also hear appeals from decisions and interpretations of the building official and consider variance of technical codes, as set forth in the Standard Building Code.
 - (3) The code enforcement and appeals board shall also hear appeals from decisions of the fire marshal and shall provide reasonable interpretation of the provision of the fire codes, as set forth in NFPA 1, Uniform Fire Code, section 1.10.
 - a. In its rulings, the board shall ensure that the intent of the fire code is complied with and public safety is secure.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 1, 8-1-06; Ord. No. 2007-06, § 1, 3-6-07)

Sec. 2-387.1. - Appeals of decisions of the building official relating to the Standard Building Code.

- (a) The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the code enforcement and appeals board whenever any one of the following conditions are claimed to exist:
 - (1) The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
 - (2) The provisions of this code do not apply to this specific case.
 - (3) That an equally good or more desirable form of installation can be employed in any specific case.
 - (4) The true intent and meaning of this code or any of the regulations there under have been misconstrued or incorrectly interpreted.
- (b) Notice of appeal. Notice of appeal shall be in writing and filed within 30 calendar days after the decision is rendered by the building official. Appeals may be in a form as provided by the community development department, or such other written document which will adequately explain the issue being appealed.

- (c) Unsafe or dangerous building or service systems. In the case of a building, structure or service system v in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in his limit the time for such appeals to a shorter period.

(Ord. No. 2006-19, § 2, 8-1-06)

Sec. 2-387.2. - Variances to the Standard Building Code.

- (a) *Variances.* The code enforcement and appeals board, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:
 - (1) That special conditions and circumstances exist which are peculiar to the building, structure, or service system involved and which are not applicable to others.
 - (2) That the special conditions and circumstances do not result from the action or inaction of the applicant.
 - (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the technical code to other buildings, structures or services system.
 - (4) That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
 - (5) That the grant of the variance will be in harmony with the general intent and purpose of the technical code and will not be detrimental to the public health, safety and general welfare.
- (b) *Conditions of the variance.* In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with the technical code. Violation of the conditions of a variance shall be deemed a violation of the technical code.

(Ord. No. 2006-19, § 2, 8-1-06)

Sec. 2.387.3. - Appeals and interpretations of decisions of the fire marshal.

- (a) The code enforcement and appeals board shall meet as required to interpret the provisions of the fire code, and to consider and rule on any properly filed appeal from a decision of the AHJ.
- (b) Any person shall be permitted to appeal a decision of the AHJ to the board when it is claimed that any one or more of the following conditions exist:
 - (1) The true intent of the codes or ordinances described in the fire code has been incorrectly interpreted.
 - (2) The provisions of the fire code or ordinances do not fully apply.
 - (3) A decision is unreasonable or arbitrary as it applies to alternatives or new materials.
- (c) An appeal shall be submitted to the AHJ in writing within 30 calendar days of notification of violation

outlining the fire code provision from which relief is sought and the remedy proposed.

- (1) All documentation supporting an appeal shall be given to the AHJ, and submitted to the board for review, along with materials prepared by the AHJ.
- (d) The board shall give a minimum of five days' notice of the hearing date, and shall meet on an appeal within 30 calendar days of the filing of the appeal.
- (e) All meetings of the board shall be public, and shall be conducted in the manner provided for other matters coming before the board.
- (f) As required by NFPA 1, Uniform Fire Code, section 1.10.6, a minimum quorum of four members shall be required to hear matters involving the fire code, and a majority vote shall be required to vary the application of any provision of the fire code, or in modifying an order of the AHJ.

(Ord. No. 2007-06, § 2, 3-6-07)

Sec. 2-388. - Quorum and voting.

- (a) For the purpose of transacting business at any meeting or hearing, a majority of the board members shall constitute a quorum. Approval of actions requires an affirmative vote of a majority of the members. For variance and appeal hearings, the quorum requirement is five members.
- (b) In the event that regular members are unable to attend a meeting, the alternate members shall vote.
- (c) A member shall abstain from voting on a particular issue or shall be disqualified by majority vote of the remaining members present, if any of the following circumstances apply:
 - (1) The member has a direct financial interest in the outcome of the matter;
 - (2) The matter at issue involves the members own official conduct;
 - (3) Participation in the matter might violate the letter or spirit of a member's code of professional responsibility;
 - (4) The member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.
- (d) A regular member absent during the presentation of evidence in a hearing may not participate in the deliberations or vote regarding the matter of the hearing.
- (e) An alternate who has been present and has heard all evidence presented may participate in all deliberations, but may not make a motion or vote on the issue. If a regular member is absent or a regular member abstains or is disqualified from a vote the alternates are authorized to and shall vote as a regular member, in accordance with their designation as alternate number 1 and alternate number 2, in that order.
- (f) For variances from the building code, the affirmative vote by five members shall be required.
- (g) For appeals from decisions of the building official, the affirmative vote by five members shall be required.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 3, 8-1-06)

Sec. 2-389. - Rights of disqualified member.

- (a) An abstaining or disqualified member of a hearing body or board shall not be counted for purposes of forming a quorum.
- (b) A board member who takes a position on the issue based upon personal interest may do so only by abstaining from voting on the proposal, vacating the seat on the hearing body or board, physically joining the audience, and making full disclosure of his/her status and position at the time of addressing the hearing body or board.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02; Ord. No. 2006-19, § 3, 8-1-06)

Sec. 2-390. - Enforcement procedures.

Enforcement procedures shall be as set forth in F.S. section 162.06 as may be amended from time to time.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Sec. 2-391. - Conduct of hearing.

- (a) The board's conduct of hearing shall be as set forth in F.S. section 162.07 as may be amended from time to time.
- (b) The board shall adopt rules for the conduct of its hearings and shall file said rules with the city clerk.
- (c) The board shall meet at the call of the chair, at the request of three members of the board, and at such other times as the board may determine.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Sec. 2-392. - Administrative fines; costs of repair; liens.

Administrative fines, costs of repair and liens shall be as set forth in F.S. section 162.09 as may be amended from time to time.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Sec. 2-393. - Duration of lien.

The duration of liens shall be as set forth in F.S. section 162.10 as may be amended from time to time.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Sec. 2-394. - Legal representation.

The city commission shall appoint legal counsel to represent the code enforcement board. The legal counsel to the code enforcement board shall not also represent the city by presenting cases before the board. Each case before the board shall be presented by either an independent attorney or by a member of the administrative staff of the city.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Sec. 2-395. - Appeals.

An aggrieved party, including the city, may appeal a final administrative order of an enforcement board to the circuit court. Such appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.

(Ord. No. 2002-09, §§ 1, 2, 4-16-02)

Mr. Dale L. Martin

From: Jim Norman
Sent: Thursday, April 15, 2021 9:19 AM
To: Mr. Dale L. Martin
Cc: Dana Whicker; Mark Foxworth
Subject: Building Department Body Worn Cameras
Attachments: FBBD BWC Quote.pdf

Mr. Martin,

At your request I have reviewed the options for providing body worn cameras (BWC) to Building Department officials. Working with the vendor that provides BWCs to the Police Department it is my recommendation to purchase Watchguard Vista BWCs utilizing cloud storage. Cloud storage versus local server storage for less than ten BWCs is the most cost efficient way to accomplish this. The one unknown is how uploads to the cloud will affect the City's internet bandwidth. Typically at the end of the workday, the BWCs would be cradled in a device called a transfer station which is connected to the City's network. The closer to 5:00pm this occurs the less impact it will have as most City employees will have left for the day. A one year warranty is included with the purchase. At the end of the first twelve months there is an option to purchase an extended warranty/maintenance plan which covers "no-fault" advanced replacement. The cost for the warranty is \$225.00 per device annually.

I have provided a startup cost breakdown for four Vista BWCs, a transfer station, and a four USB charging base:

Item	Quantity	Cost	Sub Total
Vista BWC	4	\$895.00	\$3,580.00
Transfer Station	1	\$1,495.00	\$1,495.00
USB Charger	4	\$95.00	\$380.00
Software/Hosting (Annual/Recurring)	4	\$495.00	\$1,980.00
Shipping	1	\$150.00	\$150.00
		Total	\$7,585.00

Jim Norman
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City of Fernandina Beach
Office of the City Manager

Mr. Dale L. Martin
dmartin@fbfl.org

April 14, 2021

To: Mr. Taco Pope, County Manager

From: Dale L. Martin, City Manager 

Re: Building Department Operations

1. The Fernandina Beach City Commission has expressed interest in exploring the possibility of merging City of Fernandina Beach Building Department operations with Nassau County Building Department operations.

2. For that purpose, please consider the following questions:

- a) At this time, does Nassau County have the capacity to assume control of Building Department operations currently provided by the City of Fernandina Beach Building Department, including, but not limited to, permit processing, plan reviews, site inspections, and code (State and local) compliance?
- b) If not, what additional resources (personnel, equipment, etc.) would be required to assume Building Department operations within the City of Fernandina Beach?
- c) How would fees associated with Building Department operations be affected: would Nassau County fees be uniformly implemented throughout the County (including within the City of Fernandina Beach)?
- d) If Nassau County were amenable to assuming City of Fernandina Beach Building Department operations, what formal actions would be necessary by both the Board of County Commissioners and the City of Fernandina Beach City Commission?
- e) What, if any, other issues should be considered as part of this effort?

3. This effort is, at this time, solely to be considered exploratory: the City of Fernandina Beach City Commission has taken no action other than seeking answers to the preliminary questions posed above.

4. If you desired additional information, please contact me. I look forward to hearing from you.

cc: T. Bach, City Attorney
M. Mullin, County Attorney