

## Board Responsibilities/Function Guide

**AFFORDABLE HOUSING ADVISORY COMMITTEE** – Governed by Ordinance 93-37, Ordinance No. 96-259, Ordinance No. 08-112, Ordinance 19-39, and Florida Statute 420.9072(9), the board shall consist of a minimum of eight (8) but no more than eleven (11) members recommended by the City Manager, Mayor, or any City Commissioner and who shall be appointed by resolution of the City Commission for two-year terms. The membership must include at least six (6) of the eleven (11) following categories - 1) home builder, 2) banking or mortgage representative, 3) labor representative, 4) low income advocate, 5) for profit affordable housing provider, 6) real estate professional, 7) not for profit affordable housing provider, 8) member of the Planning Board, 9) city resident, 10) person who represents employers within the City and 11) person who represents essential services personnel, as defined in the City's local housing assistance plan. Must be residents of or own real property in the City or possess technical expertise or skills as required. Member-appointed chair can serve a maximum of two consecutive one-year terms. The State Legislature adopted the Sadowski Housing Act in 1992, which would provide a dedicated source of revenue for affordable housing through imposing surtax on the real estate documentary stamps. These funds will be used as the local match for other federal programs when allowed. Under the State Housing Initiatives Partnership (SHIP) Program, very low, low, and moderate-income households are eligible to be assisted. The function of the Committee is to help staff determine what barriers the City has regarding affordable housing -- regulatory, etc., and recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.

**BEACHSIDE REDEVELOPMENT BOARD** - Article 2 §3 (b) of the Land Development Code amended by Ordinance No.15-23 states that the board shall consist of seven (7) members and a Planning Board member who shall serve as an ex officio nonvoting member appointed by the City Commission. Members shall reside or have their principal place of business in either the Main Street Redevelopment Area (MSRA) or the South Atlantic Redevelopment Area (SARA). A majority of the board members shall be residents of the City. The members shall be appointed to two-year staggered terms and may be reappointed to successive terms. No member, except ex-officio members, shall serve more than two consecutive terms. The Board shall elect a Chair and Vice-Chair from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitations. Established review and decide major site plans and appeals of redevelopment staff decisions, and make recommendations on applications for zoning district map amendments and special use permits.

**BEAUTIFICATION/TREE ADVISORY BOARD** - Article 2 §6 of the Land Development Code, amended by Ordinance No.15-23 states that the board shall consist of seven members. One member shall be nominated by each City Commissioner from among the resident of the zone, plus one at-large member nominated by the Mayor who may be a resident of any City Commission zone. All board members shall be resident of the City and qualified electors. Terms of office are three-year staggered terms, commencing January 1. Board makes recommendations on planting, removal, etc., of any tree on public property; regarding beautification of any street, sidewalk, etc.; beautification awards to both residential and commercial recipients; recommendation made in accordance with beautification plan which must be in accordance with the Comprehensive Plan.

**BOARD OF ADJUSTMENT (BOA)** - Article 2 §5 of the Land Development Code, amended by Ordinance No. 15-23 states that the board shall consist of seven members and one alternate appointed by the City Commission. Board member shall include one regular member nominated by each City Commissioner from among resident of their zone, plus one regular member and one alternate member that are nominated by the Mayor and may be a resident of any City Commission zone. All board members must be residents of the City and qualified electors. Board members shall be appointed for three-year staggered terms, and may be reappointed to successive terms. Members shall continue to serve until their successors are appointed. Vacancies occurring for reasons other than expiration of term shall be filled for the period of the unexpired term only. The Chair shall be elected from among its members, each to serve a one year term. No member shall serve more than two consecutive full terms as Chair. The Vice-Chair may be elected to successive terms without limitation. Handles applications for variances involving hardship; adopts rules consistent with the provisions of the LDC; handles appeals by any person, officer, bureau, agent of any public body affected by any decisions of the Chief Building Official (CBO). Appeal must be made within 60 days of the decision and must specify reasons for same, filing with the CBO a notice of appeal to the BOA. Cases appear on calendar of meeting based upon first come basis. There may be a limitation on maximum number of cases taken. All construction ceases until final action taken on appeal by BOA or until CBO certifies such a stay would cause imminent peril to life or property. Board fixes a time for the appeal hearing within 45 days of receipt and gives 15 days public notice. Witnesses may be asked to open and factual evidence may be presented to the board only. Conversations, etc., between the parties are not permitted. Notice of final disposition sent to appellant or applicant within 30 days of Board decision. *\*\*Requires Annual Financial Disclosure\*\**

**BOARD OF BUILDING CODES** Article 2 §11 of the Land Development Code, amended by Ordinance No. 15-23 states that the board shall consist of five members appointed by the City Commission. The members shall be chosen on an at-large basis. Each member shall have substantial experience in one or more areas of professional service within the building industry such as fire safety consulting, building inspection, engineering, architecture, or general contracting. A majority of the members shall be residents of the City. Board members shall be appointed for three-year, staggered terms and may be reap-pointed to successive terms. Members shall continue to serve until their successors are appointed. A chair and a Vice-Chair shall be elected from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitation. The Board shall decide appeals of decisions concerning the Building Code, Fire Prevention Code, Life Safety Code, condemnation of unsafe or dilapidated buildings, and any other authorized City Codes or ordinances. If decision made to modify the order, it shall specify in what manner such is made, under what condition, provide a deadline for any work to be completed, and reasons therefore. Every decision of BOBC is final but subject to court action by aggrieved party as available by law or equity.

**CITIZENS' POLICE REVIEW BOARD** - Article V of Chapter 58, City Code stated that the board shall be composed of seven members appointed by the city commission. To the extent possible, the board shall reflect the racial, ethnic, and cultural diversity of the city. Five of the members shall be residents of the city and qualified electors. The two remaining members shall have experience or training in one or more of the following fields: criminal justice, law enforcement, defensive tactics, legal, or military; and shall be residents of the city and qualified electors, or have their principle place of business in the city. Members shall be appointed for three-year, staggered terms, and may be reappointed to successive terms. Members shall continue to serve until their successors are appointed. The city commission shall fill vacancies occurring for reasons other than expiration of the term, for the remainder of the unexpired term only. Board members shall submit to a criminal background check and cannot be a convicted felon. Board members shall serve without compensation, and at the will of the city commission, which may remove any member at any time, with or without cause. The board shall elect from its membership a chair, who shall preside over board meetings; and a vice-chair, who shall preside in the absence of the chair. The term of office of the chair and vice-chair is one year. Both the chair and vice chair may be re-elected to successive terms. The city commission shall appoint a board advisor who has experience or training in law enforcement to assist the board in deliberations. The board advisor shall not be an employee of the city or a member of the board, and shall serve without compensation. The board shall meet quarterly unless there is no business or cases to come before the board, or on request of the city manager or board chair. Upon appointment to the board, each member shall be required to (i) attend a police department presentation at the Daytona Beach Citizen's Academy, (ii) participate in an annual ride along at the discretion of the police chief on location and time, (iii) attend a police use of force class not to exceed two hours per session, and (iv) complete any other training designed and prescribed by the city manager to assist board members. All actions of the board and its members shall be in accordance with applicable law to include, but not be limited to, the Florida Public Records Law (Florida Statutes Ch. 119), Florida Government-in-the-Sunshine Law (Florida Statutes Ch. 286), the Code of Ethics for Public Officers and Employees (Florida Statutes Chapter 112, Part IV), and the Law Enforcement Officers Bill of Rights (Florida Statutes Ch. 112.532). The board shall review completed departmental investigations and disciplinary outcomes thereof, in cases where the following conduct is alleged: criminal conduct; excessive force; false arrest; or unlawful search. The citizens' police review board shall review all such cases, regardless of their source, investigated by the internal affairs division of the police department. The board's review shall be conducted after the case has been completed. The chief of police shall promptly notify the board when a case has been completed, and the department shall promptly provide the board with the complete internal affairs file, unless otherwise determined to be exempt from disclosure or confidential by law. A "completed" case for purposes of this section means the department's investigation has been administratively closed without officer discipline, or the investigation has been concluded and final discipline has been imposed by the chief of police. Upon review of final discipline, the citizens' police review board report shall include one of the following decisions: agree with the disciplinary findings; or disagree with the disciplinary findings. After a case has been completed, a public meeting of the citizens' police review board will be held where the allegations of the case are discussed; the adequacy of the investigation is determined; and if final discipline was meted out, a determination of its appropriateness is made. The results of the case review shall be compiled in a written report to include the case number, the name of the complainant(s), the name of the accused officer(s), a summary of the allegations, the disciplinary findings (if any), and the

board's findings, its comments, and any recommendations. The report shall be approved by the majority of the board at a public meeting and signed by the chair, and then forwarded to the city manager; any written dissenting opinions/decisions shall be signed and forwarded with the majority report. The board shall at the request of the city commission, or city manager, or when a matter comes to the attention of the board, review police policies or procedures and make recommendations to the city manager, which are in accordance with applicable state and federal law and reflect the best interests of the citizens of the city and the community at large. The board's recommendations shall be compiled in a written report approved by the majority of the board at a public meeting and signed by the chair, and then forwarded to the city manager.

**CITY COMMISSION** – Article IV, Section 8, City Charter. Governing body of the City, Council/Manager form of government, decisions made take form of resolutions and ordinances (laws); though sometimes motions are made and approved as well for actions. All members elected to four-year terms. Elections every two years in even numbered years. Terms are staggered to elect Mayor and Commissioners for Zone 2, 4, and 6 in one Election year and Commissioners for Zone 1, 3, and 5 in the following Election year. The Mayor is elected Citywide and Zones elect Commissioners. Governed by Charter and unless otherwise amended, ordinances or resolutions; as well as State and Federal statutes as applicable. Commission normally meets the first and third Wednesdays of each month (bi-monthly), in City Commission Chambers, 6:00 p.m. *\*\*Requires Annual Financial Disclosure\*\**

**CODE ENFORCEMENT BOARD** - Article 2 §7 of the Land Development Code, amended by Ordinance No. 15-23 states that the board shall consist of seven members appointed by the City Commission. Members of the board shall be a resident of the City. Appointments shall be made on the basis of experience or interest in zoning and development, regulation, building regulations and control, or other fields within the jurisdiction of the board. Whenever possible board membership shall include an architect (A), a businessperson (BP), an engineer (E), a general contractor (GC), a subcontractor (SC), and a realtor(R). The Chair and Vice-Chair shall be elected from among its members each to serve a one-year term. No member shall serve more than two executive terms as Chair. The Vice-Chair may be elected to successive terms without limitation. Intent to promote, protect and improve the health, safety, and welfare of the citizens of the City by providing an authorization to conduct administrative hearings concerning violations of the LDC and Code Enforcement Board; impose administrative fines and other non-criminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing the LDC for all parties. Subpoenas may be served by Police Department. May provide for fines and liens. Examples of areas of jurisdiction: alarms systems, buildings, electricity, gas, housing, mechanical code, signs and billboards. *\*\*Requires Annual Financial Disclosure\*\**

**COMMUNITY REDEVELOPMENT AGENCY (CRA)** - Resolution No. 81-363 and pursuant to F.S. 163-356 (2005). The Agency consists of the same members as the City Commission. This Agency is automatically renewed, per City Clerk as per newly elected Commission. Members of the City Commission serve in this capacity as provided in Florida Statutes, exercised under the Community Redevelopment Act of 1969 to deal with existing or otherwise noted blighted areas found in the Downtown and Main Street areas and ensure rehabilitation, conservation, or redevelopment or a combination thereof as necessary in the interest of the public health, safety, morals and welfare of City residents. *\*\*Requires Annual Financial Disclosure\*\**

**COMMUNITY RELATIONS COUNCIL** - Resolution No. 00-396 established the council and adopted the initial by-laws. The board shall consist of fifteen (15) members, ten (10) of whom must either reside or own a business in the City. The initial terms of the membership shall be three years commencing October 1. All members shall be nominated by a five-member nominating committee established and convened by the City Manager, and shall be appointed by a majority vote of the City Commission. The nominating committee shall also present one nominee of the ten who reside or own a business in the City as a nominee for the Chairperson to serve a three-year term. The Chairperson shall be appointed by a majority vote of the City Commission.

**DAYTONA BEACH RACING & RECREATIONAL FACILITIES DISTRICT** – Under Chapter 29-588, Laws of Florida, Section 2, and amended by Chapter 31-343, Section 3, the Commission shall consist of five (5) members, four-year terms. Must be a qualified elector of the district and are appointed by the City Commission and County Council jointly. Created and established by State law to provide for the acquisition, construction, financing, and operation of racing and recreational facilities in the City of Daytona Beach and within the boundaries of the district (doesn't apply to pari-mutuel racetracks, jai alai frontons). *\*\*Requires Annual Financial Disclosure\*\**

**DOWNTOWN DEVELOPMENT AUTHORITY** - Created by Special Act of the Florida Legislature; reenacted as 2004 Florida Laws 406; Sub-part E, City Charter. The Authority consists of five (5) members, one of which shall be a member of the City Commission. Except for the City Commissioner, each member may be appointed for consecutive terms of three years, beginning July 1. Non-City Commission members shall reside in or have principal place of business in the City, shall not be serving as a City officer or employee, and shall be an owner of realty within the Downtown area, a lessee thereof, or a director, officer, or managing agent of an owner or a lessee thereof. The Authority is a Special District that levies property taxes within a defined boundary that includes the City's central business district for the purpose of promoting and supporting the core downtown business area through the management and operation of events, marketing, the Downtown Farmers' Market, and other activities. *\*\*Requires Annual Financial Disclosure\*\**

**DOWNTOWN REDEVELOPMENT BOARD** - Article 2 §3 (a) of the Land Development Code amended by Ordinance No. 15-23 states that the board shall consist of seven (7) members appointed by the City Commission and one (1) Planning Board member who shall serve as an ex officio nonvoting member. Membership shall include six (6) members who reside or have their principal place of business in either the Downtown Redevelopment Area (DRA) or the Ballough Road Redevelopment Area (BRRA) and one (1) member of the Downtown Development Authority, who shall serve ex-officio (DDA). A majority of the board members shall be residents of the City. The members shall be appointed to two-year staggered terms and may be reappointed to successive terms. No member, except ex-officio members, shall serve more than two consecutive terms. Members shall continue to serve until their successors are appointed. Vacancies shall be filled for the period of the unexpired term only. The Board shall elect a Chair and Vice-Chair from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitations. Established to review and decide major site plans and appeals of redevelopment staff decisions, and make recommendations on applications for zoning district map amendments and special use permits.



**ECONOMIC DEVELOPMENT ADVISORY BOARD** - Under Ordinance No. 97-90, the Board shall consist of nine (9) members with seven of those to be registered electors of the City serving staggered three-year terms, recommended by the City Manager and appointed by the City Commission. These seven members shall be former members of the Economic Development Strategic Planning Committee and/or building contractors, developers, members of financial institutions, members of educational institutions, members of cultural institutions, members of welfare agencies and labor, business and industrial representatives, with initial appointments to be three members for three-year terms, two members for two-year terms, and two members for one-year terms. The two additional members shall represent the Volusia County Business Development Corporation and the Halifax Area Chamber of Commerce and shall be ex-officio, non-voting members.

**HISTORIC PRESERVATION BOARD** - Article 2 §4 of the Land Development Code, amended by Ordinance No. 15-23 states that board shall consist of nine (9) members appointed by the City Commission. One member shall be nominated by each City Commission and two members nominated by the Mayor. Board members shall be appointed for three-year staggered terms and may be appointed to successive terms. Members shall continue to serve until successors are appointed. At least one member shall be an Architect. Members shall be appointed on the basis of civic pride, integrity, experience, interest in historic preservation and the requirements necessary for the City to maintain status as a Certified Local Government. The majority of members shall be residents of the City. Board members shall serve without compensation. The board shall elect a Chair, Vice-Chair and a Secretary from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitations. To protect and encourage the revitalization of sites and districts within the City having special historic, architectural, and archaeological value to the community via identification, protection to combat urban blight, promote tourism, foster civic pride, and maintain physical evidence of the City's heritage; encourage and promote restoration, preservation, rehabilitation and re-use of significant sites and districts by providing technical assistance, investment incentives, and facilitating the development review process; and promotion of excellence in urban design by assuring compatibility of restored, rehabilitated or replaced structures within designated historic preservation districts; establish, maintain and update the official local register of historic sites and districts and submit to the Planning Board and City Commission recommendations and documentation concerning the local register. Investigate and recommend the adoption of ordinances designating properties or structures as historic sites.

**HOUSING AUTHORITY COMMISSION** - Section 421.05, Florida Statutes. Members appointed by Mayor and approved by City Commission; the board shall consist of five (5) members who serve four-year terms. May not be an officer or employee of the City. Created by Florida Statutes as a public body corporate and politic declared to function in the City to provide for safe and sanitary dwelling accommodations for persons of low income at rentals they can afford. *\*\*Requires Annual Financial Disclosure\*\**

**LEISURE SERVICES ADVISORY BOARD** - Resolution No. 15-183 states that the board shall consist of seven (7) members, one (1) from each zone nominated by City Commissioners of respective zones, and one (1) at large member nominated by the Mayor serving two-year (2) staggered terms that expire December 31. Members must reside within the zone of their appointment. Member-appointed chair can serve a maximum of two consecutive one-year terms. To advise City staff and the City Commission with recommendations to improve Leisure Services programs for our citizens: Analysis of the recreational needs of the community; Provision of an opportunity for combining public opinion and determining community recreational needs, giving due consideration to suggestions and criticisms from all interested citizens; Review planning and implementation of City recreational activities. The board will render advice and assistance in the consideration of such matters as site location, supervision of activities, and maintenance of facilities.

**MAYOR'S ALLIANCE FOR PERSONS WITH DISABILITIES BOARD** – Resolution No. 06-390, amended by Resolution No. 07-96 states, the board shall consist of 10 members appointed by the City Commission. The Mayor shall nominate four (4) persons for appointment and each Commissioner shall nominate one (1) person. All members shall be residents of the City and shall serve after appointment until removed or until a successor is duly appointed. Staff liaison: Betty Goodman, Assistant City Manager, (386) 671-8203. 4<sup>th</sup> Tuesday of each month.

**MIDTOWN REDEVELOPMENT BOARD** - Article 2 § 3(c) of the Land Development Code states that the board shall consist of seven (7) members appointed by the City Commission and one (1) Planning Board member who shall serve as an ex officio nonvoting member. Members shall reside or have their principal place of business in the Midtown Redevelopment Area (MRA). A majority of the board members shall be residents of the City. The members shall be appointed to two-year staggered terms and may be reappointed to successive terms. No member, except ex-officio members, shall serve more than two consecutive terms. Members shall continue to serve until their successors are appointed. Vacancies shall be filled for the period of the unexpired term only. The Board shall elect a Chair and Vice-Chair from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitations. Established to review and decide major site plans and appeals of redevelopment staff decisions, and make recommendations on applications for zoning district map amendments and special use permits.

**NUISANCE ABATEMENT BOARD** (formerly Drug-Related Nuisances Abatement Board) - Chapter 62, Article III, Section 62-62, City Code, as amended by Ordinance 17-100. The board shall consist of seven members appointed by the city commission for two-year terms commencing on December 1 of odd-numbered years and may be reappointed to successive terms. All members shall continue to serve until their successors are appointed. Vacancies among members occurring for reasons other than expiration of the term shall be filled for the period of the unexpired term only. Members of the board shall be persons who are registered electors of the city; the Mayor's appointment to be a State licensed attorney with trial experience and to serve as Chair of the board.

**PEABODY AUDITORIUM ADVISORY BOARD** - Created by Resolution No. 96-311. (Formerly established by Resolution No. 49-74, amended by Res. Nos. 73-246, 90-378, 96-199.) The Board consists of seven (7) members who shall serve four-year terms and they must reside within the zone from which appointed of if Mayoral from within corporate city limits. Acts in an advisory capacity with respect to the conduct and management of any property or institution, or the exercise of any public functions of the City so as to assist the City Commission, City Manager, and any department of the City with respect to Auditorium property.

**PERSONNEL BOARD** - Art. XI, Section 3, Sub-part A, City Charter. (formerly Civil Service Board [CSB]; changed September 27, 1998, as per voter referendum on Sept. 1, 1998). The Board consists of five (5) members (initial CSB members), who shall serve four-year terms. Appointments are Mayoral nominations requiring confirmation by the City Commission. Must be a qualified elector of the City and shall not hold or be a candidate for any office of profit or trust or employment of any governmental agency. The Board shall hear appeals of classified service employees from final administrative action resulting in termination, demotion or suspension with loss of pay and shall affirm, modify, or reverse the final administrative action.

**PLANNING BOARD** - Sub-pt. A, Article III, Section 6(a), City Charter, and Article. 2 §2.2A, Land Development Code (LDC), amended by Ordinance No. 15-23 stated that the board shall consist of seven (7) members serving staggered terms of four years commencing January 1 and expiring December 31, with a least one member residing in each Zone within the City and one At-large member. Must be qualified electors in City and hold no other City office. The board shall elect a chair and vice chair from among the voting members, each shall serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitations. Advises the City Manager and the City Commission on all planning and land development matters and exercises all other responsibilities as may be provided by law. Appeals from their administrative decisions and applications for variances in cases involving hardship and such other matters required by law or the City Commission go to the Board of Adjustment. *\*\*Requires Annual Financial Disclosure\*\**

**POLICE AND FIRE PENSION FUND BOARD** - City Charter, Sub-pt. D, § 3, amended by Ord. No. 96-261, 96-405, 10-322, and Florida Statutes, Sections 175.061 (1)(2), 175.351[15(a)4], and 185.05(1), and 185.35(4)(a) regulate the selection of five Trustees: two (2) of whom, unless otherwise prohibited by law, shall be legal residents of the City, who shall be appointed by the Daytona Beach City Commission, one (1) of whom shall be a Police Officer Member of the System and one (1) of whom shall be a Firefighter Member of the System, who shall be elected by a majority of the Police Officers or Firefighters, respectively, who are Members of the System. The fifth Trustee shall be chosen by a majority of the previous four (4) Trustees as provided for herein, and such person's name shall be submitted to the Daytona Beach City Commission. Upon receipt of the fifth person's name, the Daytona Beach City Commission shall, as a ministerial duty, appoint such person to the Board of Trustees as its fifth Trustee. All terms are for 4 years commencing January 1 of even numbered years and terminating December 31 of odd numbered years. Make decisions related to Police Department and Fire Department pensions (retirement trust fund systems and plans). *\*\*Requires Annual Financial Disclosure\*\**