



# City of Daytona Beach Shores

*"Life is Better Here"*

*"A Premier, Friendly Place to Be"*

## AGENDA CITY COUNCIL MEETING

**April 12, 2016**

**7:00 p.m., Community Center, 3048 S. Atlantic Ave.  
Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Council Meeting Hall. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

### **CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **CEREMONIAL MATTERS:**

#### **PRAYER**

#### **PLEDGE OF ALLEGIANCE**

### **1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES: Certificates of Completion for EMO III**

### **BUSINESS OF THE CITY COUNCIL:**

#### **ORDER OF BUSINESS**

- 2. APPROVAL OF THE MINUTES:** March 22, 2016 City Council Meeting
- 3. CONSENT AGENDA:** None.
- 4. REPORTS OF THE CITY ATTORNEY:**
- 5. REPORTS OF THE CITY MANAGER:**

**OLD BUSINESS: None.**

**NEW BUSINESS:**

**6. Resolution 2016-02** A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA ADOPTING THE VOLUSIA COUNTY WATER COMPACT. PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Public Hearing.

**7. APPROVAL TO APPOINT LARRY SAFFER TO VGMC**

**8. UPDATE ON PEDESTRIAN CROSSWALKS**

**9. COUNCIL COMMENTS:**

**10. AUDIENCE REMARKS/PUBLIC COMMENTS:**

**11. ITEMS RECOMMENDED FOR THE NEXT AGENDA:**

**12. ADJOURNMENT:**

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the City Council, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Please be advised that all City Council Meetings are recorded. Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at 2990 S. Atlantic Avenue, Daytona Beach Shores, FL 32118, or telephone 386-763-5364 at least seven working days prior to the meeting.

**PRESENTATIONS AND PUBLIC NOTICES:**

**Certificates of Completion for EMO III**

**MINUTES**  
**CITY COUNCIL MEETING**  
**March 22, 2016**  
**3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118**

**Present:** Mayor Harry Jennings, Vice Mayor Peggy Rice, CouncilMember Jennie Celona CouncilMember Lorraine Geiger and CouncilMember Billie Wheeler. *Staff: City Manager Michael Booker, City Clerk Cheri Schwab, City Attorney Lonnie Groot, City Planner Stewart Cruz, Finance Director Steve Whitmer, and Public Safety Director Stephan Dembinsky.*

**1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:**

**Presentation to Stewart Marchman from tennis tournament**

The City presented a check to Stewart Marchman from the proceeds of a recent tennis tournament. Carolyn Sentelik and Rhonda Harvey accepted the check on their behalf.

**2. APPROVAL OF THE MINUTES:** February 23, 2016 City Council Meeting

**CMBR WHEELER moved, seconded by CMBR RICE to approve the minutes of February 23, 2016.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

**3. CONSENT AGENDA:**

- **Monthly Department Reports**
- **Monthly Financial Report**
- **Appoint Ron Christopher to regular member of Board of Adjustments**

**CMBR CELONA moved, seconded by CMBR GEIGER to approve the consent agenda.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

**4. REPORTS OF THE CITY ATTORNEY:** None.

**5. REPORTS OF THE CITY MANAGER:** None.

**OLD BUSINESS:**

**6. Ordinance 2016-03** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA ENACTING A STATUTORY DEVELOPMENT AGREEMENT RELATING TO THE PROPERTY OWNED BY ATLANTIC AVENUE ESTATES, LLC AND GENERALLY LOCATED BETWEEN 3824 S. ATLANTIC AVENUE AND 3832 SOUTH ATLANTIC AVENUE AND ASSIGNED TAX PARCEL IDENTIFICATION NUMBER 02-16-33-05-07-0150 BY THE VOLUSIA COUNTY PROPERTY APPRAISER SAID AGREEMENT BEING IN ACCORDANCE WITH THE PROVISIONS OF THE “FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT” AS SET FORTH AT SECTIONS 163.3220 - 163.3243, *FLORIDA STATUTES*; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR NON-CODIFICATION AND IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. **Second Reading.**

**CMBR WHEELER moved, seconded by CMBR GEIGER to adopt Ordinance 2016-03 on second reading.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

**7. Ordinance 2016-04** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO HUMAN TRAFFICKING; REPEALING SECTION TWO OF ORDINANCE NUMBER 2015-06; PROVIDING FOR A SAVINGS PROVISION; AMENDING SECTION 1-8 OF THE *CODE OF ORDINANCES OF THE CITY OF DAYTONA BEACH SHORES*; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, DIRECTIONS TO THE CODE CODIFIER AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. **Second Reading.**

**CMBR CELONA moved, seconded by CMBR WHEELER to adopt Ordinance 2016-04 on second reading.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

**NEW BUSINESS:**

**8. APPROVAL TO PROCEED WITH RFQ FOR CONSTRUCTION MANAGER FOR NEW COMMUNITY CENTER**

The City Manager informed the council that it appeared the ECHO grant would not be available for this project, so the schedule will be moved up. Staff would like to proceed with the RFQ for a Construction Manager. There will be a three person screening committee to review the submissions and make a recommendation. CMBR Celona pointed out that councilmembers should not be contacted regarding this process.

**CMBR GEIGER moved, seconded by CMBR WHEELER to approve the RFQ for Construction Manager.**

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

**9. APPROVAL FOR SIGN GRANT TO PERENNIAL VACATION CLUB**

**CMBR GEIGER moved, seconded by CMBR CELONA to approve the sign grant for Perennial Vacation Club.**

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Council Member Lorraine Geiger, CouncilMember Billie Wheeler, CouncilMember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

CMBR Wheeler inquired how many properties still had to comply with the new sign regulations. Staff replied there are approximately 50 properties.

**10. COUNCIL COMMENTS:**

CMBR Celona mentioned that Vice Mayor Rice and she recently attended a training seminar for elected officials. CMBR Geiger praised the Culture & Entertainment Board on their St. Patrick's Day dinner. She announced that Friday's concert would be Marc Monteson and his jazz ensemble. Finally, tickets for the Taste of the Shores on sale now at City Hall.

**11. AUDIENCE REMARKS/PUBLIC COMMENTS:** None.

**12. ITEMS RECOMMENDED FOR THE NEXT AGENDA:** None.

**13. ADJOURNMENT:** The meeting ended at 7:19 pm.

---

**MAYOR  
HARRY H. JENNINGS**

---

**CITY MANAGER  
MICHAEL T. BOOKER**

**ATTEST:**

---

**CITY CLERK, CHERI SCHWAB**

Consent Agenda –

None

# **Reports of the City Attorney**



# **Reports of the City Manager**

## **RESOLUTION 2016-02**

### **A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA ADOPTING THE VOLUSIA COUNTY WATER COMPACT. PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, each of the municipalities in Volusia County and unincorporated Volusia County have numerous water issues that are key to the sustainability and growth of Volusia County and each of its municipalities (hereinafter "Volusia Governments"); and

**WHEREAS**, the Volusia Governments face pressing water issues, including, but not limited to those relating to septic tank replacements through sewer treatment expansion, wastewater and re-use water, potable water supply, water quality projects to protect the Mosquito Lagoon, the Halifax River, the St. Johns River, and the Blue Springs Basin; and

**WHEREAS**, the Volusia Governments can most effectively address water issues together and with a united front to address the myriad common concerns shared by the Volusia Governments;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AS FOLLOWS:**

**SECTION ONE:** "The Compact" shall refer to this document, and the collective efforts undertaken in furtherance of the aims of each of the Volusia Governments.

**SECTION TWO:** The Volusia Governments commit to support the following activities:

- Development of and advocacy for joint positions on federal and state legislation, regulations, and administrative policies pertaining to water issues, including, but not limited to, those relating to septic tank replacements through sewer treatment expansion, wastewater and re-use water, potable water supply, water quality projects to protect the Mosquito Lagoon, the Halifax River, the St. John's River, and the Blue Springs Basin.
- Creation of common regional baseline information, relating to all relevant water issues.

- Convocation of an annual Volusia Governments Water Summit.
- Development of a Regional Water Action Plan, including strategies to accomplish the common goals of the Volusia County Governments relating to water issues, to be revised every five years from the date of publication of the first Action Plan.
- Solicitation of external funding and resources to support Compact initiatives.
- Establishment of an enduring organizational structure for the Compact, subject to the approval of each of the Volusia Governments to facilitate Compact work, enhance the strong relationships among the Compact governments, and improve the Compact's competitiveness in seeking external funding and resources.

**SECTION THREE.** The Volusia Governments will continue to support and foster expanded public, private, and nonprofit engagement in Compact initiatives at the local, regional, state, national, and international levels, with an emphasis on communications, partnerships, and capacity building.

**SECTION FOUR.** In pursuit of the common aims of the Volusia Governments under the Compact, each such government pledges not to work at cross-purposes with the other governments. However, nothing in this document shall be deemed to limit the power of each governmental entity to govern its respective jurisdictional area.

**SECTION FIVE. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION SIX. SEVERABILITY.** If any Section or portions of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

**SECTION SEVEN.** The commitments contained herein shall not be effective until approved through the required procedures of each respective member of the Compact.



**APPROVAL TO APPOINT  
LARRY SAFFER TO VGMC**

# **UPDATE ON PEDESTRIAN CROSSWALKS**

## Council comments

## Audience remarks



## Items for the next agenda