

Board Responsibilities/Functions Guide

1. **Affordable Housing Advisory Committee** – Governed by Ordinance 93-37, Ordinance No. 96-259, Ordinance No. 08-112 and Florida Statute 420.9072(9), the board shall consist of eleven (11) members may be 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 (commencing February 18). The membership shall include one home builder, one banking or mortgage representative, one labor representative, one low income advocate, one for profit affordable housing provider, one real estate professional, one not for profit affordable housing provider, one member of the Planning Board, one city resident, one person who represents employers within the City and one 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. Provided, however, that where the City Commission is otherwise unable to fill the Advisory Committee position meeting the requirements, they may waive that part of the requirement stating that the engagement or representation in question be "in connection with affordable housing." 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 in two federal programs that have been developed during the last couple of years, the HOME Program and HOPE 3 Program (Housing Opportunities for People Everywhere.) Under the State Housing Initiatives Partnership (SHIP) Program all counties in the State of Florida are guaranteed \$250,000 per year, regardless of size. The smallest get \$250,000, larger ones get \$250,000 plus an amount based on population. Very low, low, and moderate-income households are eligible for the SHIP funds. 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.

2. **Beautification/Tree Advisory Board** - Article 3, Sub-Part 7, Land Development Code (LDC), amended by Ordinance 96-258, provides for seven (7) members, one from each City Commission zone, and one member at large. Terms of office are three-year staggered terms, commencing January 1. Must be a qualified elector of the City and reside within the zone from which appointed. 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.

3. **Board of Adjustment (BOA)** - Article 3, Sub-Part 3, Land Development Code (LDC), amended by Ordinance No. 96-258 states that the board shall consist of seven (7) members and an alternate, two members shall be at-large and one member shall be appointed from each Commission zone serving three-year terms. The Mayor shall nominate at-large members including the alternate. Must be a qualified elector of the City and reside within the zone for which appointed. Term expiring December 31. Member-appointed chair can serve a maximum of two consecutive one-year terms. 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.

4. **Board of Building Codes (BOBC)** (previously Board of Adjustment and Appeals) - Per Article 3, Sub-Part 8, Land Development Code, amended by Ordinance No. 96-213 and 09-243, the Board of Building Codes shall consist of seven (7) members appointed for three-year terms by the City Commission. Members shall include one architect, one engineer, one general contractor, one member with expertise in fire safety standards, and three (3) members at large from the building industry. A majority of the members shall reside in the City. Make decisions on Building Code and Fire Code - Previously just commercial now handles commercial appeals and appeals for residential previously handled by the Housing Board of Adjustments and Appeals. Provides an additional remedy or method for appeal or review of decisions of the Chief Building Inspector, Electrical Inspector, and Plumbing Inspector. Whenever either shall reject or refuse to approve the mode or manner of construction, wiring, or plumbing proposed to be followed, materials to be used in the erection or alteration of a building structure, wiring, plumbing, or the provisions of Building Code/amended or ordinance amended, do not apply or that equally good materials can be used, or code wrongly interpreted, etc., notice of appeal shall be filed within 90 days of decision. A fee accompanies the notice of appeal on form provided by Building Inspector. If decision made to modify the order, it shall specify in what manner such is made, under what condition, and reasons therefore. Every decision of BOBC is final but subject to court action by aggrieved party as available by law or equity.

5. **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. Beginning 2007, 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.

6. **Code Enforcement Board** - Article 3, Sub-Part 4, Land Development Code, amended by Ordinance Nos. 96-258, 97-403 and 09-243, creation, membership and duties pursuant to F.S. 162.05 (2005). Seven (7) members appointed for three-year terms by the City Commission. Members of the board shall be residents of the City. Appointments shall be made on the basis of experience or interest in the fields of zoning, and building control. Member-appointed Chair can serve a maximum of two consecutive one-year terms. Membership of the Board shall include whenever possible an architect, a businessperson, an engineer, a general contractor, a subcontractor and a realtor. 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.

7. **Community Development Citizens Advisory Board** - Per Resolutions Nos. 77-205; 92-314, 96-232, and 99-201, the board shall consist of eight (8) members with six (6) members being nominated by the City Commissioners from respective zones and the Mayor nominating two, one from an existing board of the Community Development Department serving two-year terms expiring December 31 of odd numbered years. Members must be electors of the City or own property, or be engaged in a business or occupation within the City. Members shall hold no elective public office. Resolution No. 77-206 provides for citizen participation in the Community Development Program, which includes an Advisory Board. Before applications are submitted to HUD for CDBG funds, public hearings are to be held by the Advisory Board obtains citizen views on Community Development and housing needs. Member-appointed chair can serve a maximum of two consecutive one-year terms. The Chair as deemed necessary calls meetings after confirmation of time and place by the majority of the

membership and adequate notice is given to the public and news media.

8. **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.

9. **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.

10. **Daytona Beach Municipal Golf Course Advisory Board** – Created by Resolution Nos. 94-390 and 96-233, the board shall consist of seven members, one member from each nominated by City Commissioners of respective zones and one at-large member nominated by the Mayor. Members serve two-year terms commencing January 1 even numbered years. Members shall be registered electors of the City and residents of the zone they represent. Member-appointed chair can serve a maximum of two consecutive one-year terms. This board shall advise and make recommendations to the City Commission and the City Manager or his designee on matters relating to the operations of the Municipal Golf Course. The Board shall review the Five Year Capital Improvement Plan; make recommendations on the Annual Operation and Maintenance Budget to the City Commission by the City Manager.

11. **Daytona Beach Racing and Recreational Facilities Commission** – 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).

12. **DOWNTOWN-BALLOUGH ROAD REDEVELOPMENT AREA BOARD** - Art. 3, Sub-section 5, Land Development Code states that the board consists of nine (9) members and an alternate as follows: one member of the Downtown Development Authority, who shall serve ex-officio ^(DDA), two members who reside in the or have their principal place of business in the Ballough Road Redevelopment Area, two members who reside in or have their principal place of business in the Downtown Redevelopment Area, two members who reside in the City or have their principal place of business in the Downtown or Ballough Road Redevelopment Areas, a member of the Planning Board, a member who is a design professional; and an alternate member who is a design professional and who shall serve as a member of the Board only when the design professional member is not available. Members, except those serving ex-officio, serve for terms of two years. Terms commence on January 1 and end on December 31. The Board advises the City Commission in areas related to redevelopment, legislation, rehabilitation, and conservation, in their respective areas.

13. **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 levies and administers the special tax revenues derived from the (Downtown Development) district through tax increment financing.

14. **Economic Development Advisory Board** - Under Ordinance No. 97-90, the Board shall consists 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.

15. **Enterprise Zone Development Agency** - Created by Ordinance No. 95-230 pursuant to F.S. 290.0056; amended by Ordinance No. 95-586 and 96-260. A Board of Commissioners recommended by the City Manager and appointed for four (4) year terms by City Commission, with at least one representative from the

following areas: local Chamber of Commerce, financial or insurance entity, business within the zone, resident within the zone, non-profit community based agency within the zone, local Private Industry Council, local code enforcement agency, and the local law enforcement agency. Board member preference shall be given first to Enterprise Zone residents and then to other Daytona Beach residents. Chairperson and Vice-Chairperson appointed by City Commission annually to serve a maximum of two consecutive one year terms.

16. **Historic Preservation Board** - Article 3, Sub-Part 6, Land Development Code, amended by Ordinance No. 96-258 and 09-243, the board shall consist of nine (9) members appointed for three-year terms by City Commission. Members shall be appointed on the basis of civic pride, integrity, experience and interest in historic preservation. One member shall be an architect, and four additional members must satisfy the requirements necessary in order for the city to obtain and maintain CLG status. Two members shall be nominated by the Mayor, and one member shall be nominated by each City Commissioner. The majority of the members shall be residents of the City. Member-appointed chair can serve a maximum of two consecutive one-year terms. 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.

17. **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.

18. **MAIN STREET – SOUTH ATLANTIC REDEVELOPMENT AREA BOARD** - Art. 3, Sub-part 5, Land Development Code states that the board shall consist of nine (9) members and an alternate serving staggered terms for two (2) years appointed by the City Commission, two (2) members whom shall reside in or have their principal place of business in the South Atlantic Redevelopment Area; two (2) members who reside in or have their principal place of business in the Main Street Redevelopment Area; three (3) members who reside in the City or

have their principal place of business in the South Atlantic or Main Street Redevelopment Areas; one (1) member of the Planning Board; one (1) member who is a Design Professional ; and one (1) alternate member who is a Design Professional and who will serve only in the absence of the Design Professional member. No member, except ex-officio members and the design professional, shall serve more than two (2) consecutive terms. The majority of the members must reside in the City. The initial terms of members may be for less or more than two (2) years in order to provide for staggered terms and for terms ending on December 31, but no term shall exceed three years. Terms are for two years expiring December 31. Member-appointed chair can serve a maximum of two consecutive one-year terms.

19. **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. 4th Tuesday of each month.

20. **MIDTOWN REDEVELOPMENT AREA BOARD** - Article 3, Sub-part 5, Land Development Code states that the board shall consists of nine (9) members serving 2 year terms commencing on January 1 and ending December 31. The City Commission shall appoint the members five (5) of whom shall reside in or have their principal place of business in the Midtown Redevelopment area; two (2) members who reside in the City; one (1) member of the Planning Board; one (1) member who is a Design Professional; and one (1) alternate member who is a Design Professional and who will serve only in the absence of the Design Professional member. No member, except ex-officio members and the design professional, shall serve more than two (2) consecutive terms. The majority of the members must reside in the City. The initial terms of members may be for less or more than two (2) years in order to provide for staggered terms and for terms ending on December 31, but no term shall exceed three years. Member-appointed chair can serve a maximum of two consecutive one-year terms.

21. **Nuisance Abatement Board** (formerly Drug-Related Nuisances Abatement Board) – Chapter 62, Article III, Section 62-62, City Code, as amended by Ordinance 97-473, states that the board shall consist seven (7) members who serve two-year terms to commence December 1 of odd-numbered years; must be registered voters with one member from each zone; the Mayor's appointment to be a State-licensed attorney with trial experience and to serve as chair.

22. **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 iif 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.

23. **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.

24. **Planning Board** - Sub-Part A, Section 6 (a), City Charter, and Article 3, Section 2, Land Development Code, amended by Ordinance No. 96-258, provides for eleven (11) members, at least one member from each zone in the City, but not more than two members residing in any one zone (vacancies to rotate to City Commissioner with less than two representatives on board); four-year terms; must be qualified elector in the City and shall hold no other City office (per Board Bylaws, Section 4). Member-appointed chair can serve a maximum of two consecutive one-year terms. 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.

25. **Police & Fire Pension Fund Board** - City Charter, Sub-Part D, § 7, amended by Ordinance Nos. 96-261 and 96-405, and Florida Statutes, Sections 175.061(1)(2), 175.351[15(a)4], 185.05(1), and 185.35(4)(a), regulate the selection of five (5) members: two members are to be citizens appointed by the City Commission, two members from and by elections within the Police and Fire Departments, and the fifth member by a majority vote of the other members. Make decisions related to Police Department and Fire Department pensions (retirement trust fund systems and plans). All terms are for two years commencing January 1 of even numbered years and terminating by ouster, if necessary, December 31 of odd numbered years.