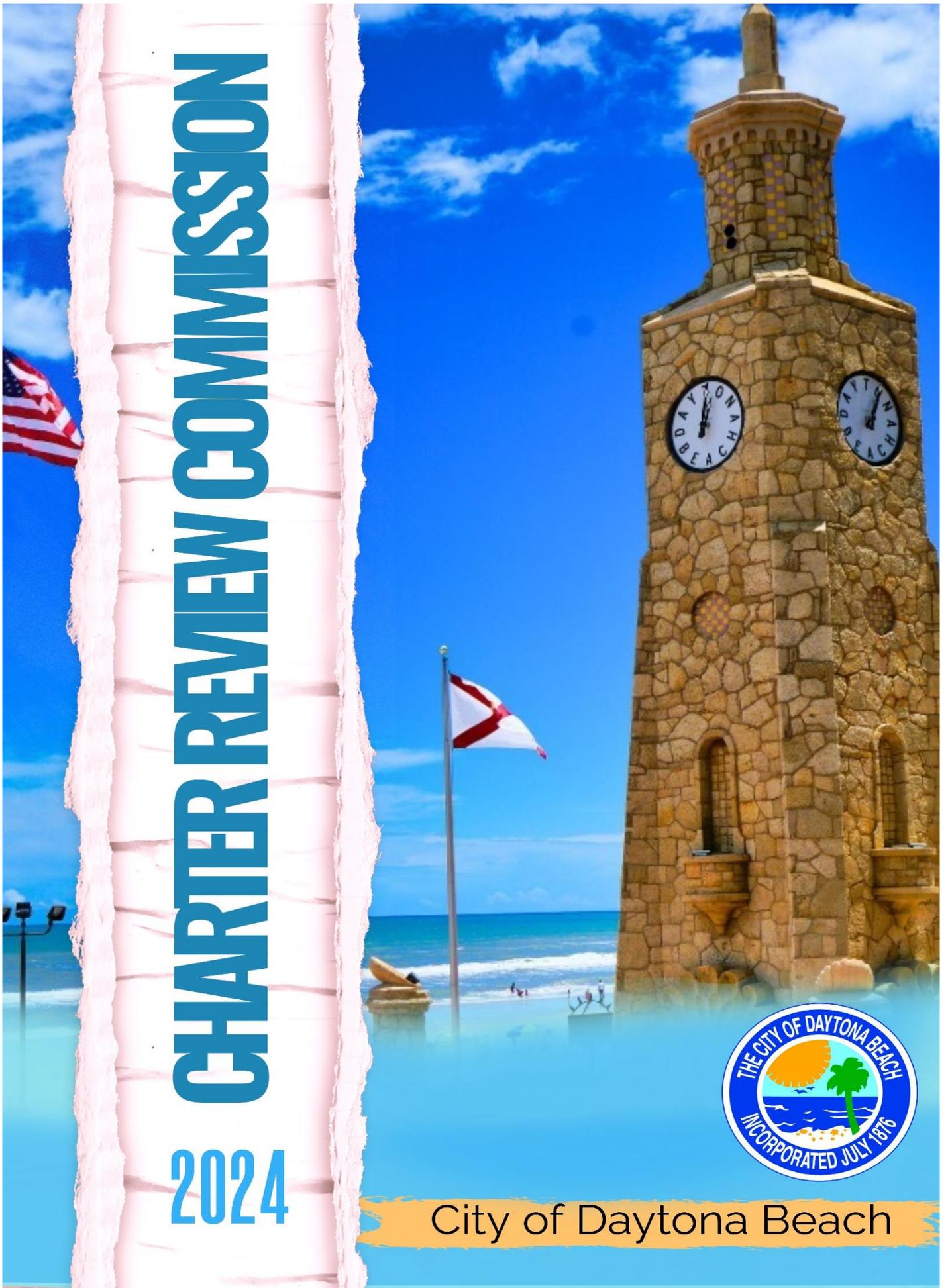


CHARTER REVIEW COMMISSION

2024



City of Daytona Beach



The CITY OF DAYTONA BEACH
"THE WORLD'S MOST FAMOUS BEACH"

2024 Charter Review Commission

REPORT AND RECOMMENDATIONS

PRESENTED TO

DAYTONA BEACH CITY COMMISSION

Mayor	Derrick L. Henry
Zone 1 City Commissioner	Monica Paris
Zone 2 City Commissioner	Ken Strickland
Zone 3 City Commissioner	Quanita May
Zone 4 City Commissioner	Stacy Cantu
Zone 5 City Commissioner	Danette Henry
Zone 6 City Commissioner	Paula Reed

June 19, 2024

By

2024 Charter Review Commission

APPOINTEE

ALTERNATE

REPRESENTING

Steve Miller, Chairperson	Frederick Brown	At Large
Anne Ruby, Vice-Chairperson	Sandra Murphy	Zone 1
Paul Zimmerman	John Kenyon	Zone 2
Christopher Bowler	Jack White	Zone 3
Harry Lloyd	William Kamer	Zone 4
Phyllis Terri Malia	Katienna Brown	Zone 5
Ida Wright	Russel Wetherington	Zone 6



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2024 Charter Review Commission

Honorable Mayor and City Commissioners:

It is a privilege for me to transmit to you the report of your 2024 Charter Review Commission for your review and consideration.

On behalf of the members of the Charter Review Commission, I want to thank you for giving us the opportunity to serve you and the citizens of Daytona Beach in this most important function of democracy and local governance.

I also want to thank all the members of the Charter Review Commission and their alternates for their time, hard work, and serious focus on the fulfillment of their Charter review responsibilities. I want to commend City Attorney Ben Gross, City Clerk Letitia LaMagna, and Deputy City Manager/Fire Chief Dru Driscoll, for their timely and expert assistance that made it possible for the committee to complete its work on time. Most importantly, I want to thank the many citizens and representatives of the City organization who took time out of their busy schedules to offer their thoughts and ideas to the commission.

Although there was spirited debates over the merits of the many proposals, the remarkable civility and respect given to all participants sends a resounding message about the quality and character of our citizenship in Daytona Beach.

It is with a great sense of pride and confidence that I can acknowledge to you that through the due diligence of the entire Charter Review Commission, that your Commission has accomplished its goal of providing positive Charter amendments that will fulfill the goal of continuous improvements in the governance of Daytona Beach, while maintaining the flexibility City elected officials and staff must have to provide for the ongoing needs of our citizens.

Great care has been taken to provide you with an easy, readable, and understandable report crafted in the form of an Executive Summary. Should you choose to move forward with any or all of the Charter Review Commission's recommendations, it is our understanding the ballot language and that of the specific referenced articles would be crafted at your direction by City staff.

In closing, on behalf of the Commission, let me offer to invite you to contact us if there is any additional assistance that the Commission can provide you in your consideration of the report.

Sincerely,

Steve Miller, Chairperson
Daytona Beach 2024 Charter Review Commission



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EXECUTIVE SUMMARY

Introduction

Consistent with Section 46 of the City Charter, and City Commission Ordinance 96-403 as amended by City Ordinance 2024-52, the Daytona Beach 2024 Charter Review Commission was appointed by the City Commission on February 7, 2024. The Charter Review Commission held an initial organizational meeting at City Hall, three Town Hall meetings (Cherry Center, Schnebly Center, and Scarlet-Golden Center), and three workshop meetings again at City Hall. All meetings and workshops were publically noticed, recorded, and conducted in accordance with Florida Public Hearing and Florida Public Records laws.

The Charter Review Commission is charged with the responsibilities of reviewing and analyzing the City Charter and making recommendations to the City Commission for amendments, additions to or deletions from the City Charter as it would best serve the citizens in the proper organization of City government. As charged, the Charter Review Commission may review any part of the City Charter and may consider any specific recommendation for review by the City Commission.

The Charter Review Commission is required to report its recommendation to the City Commission at least four months before the next general election scheduled for November 5, 2024. To accomplish this requirement the Charter Review Commission's report must be provided to the City Commission by July 5, 2024. The ballot question(s) as approved by the City Commission must be submitted to the Supervisor of Elections no later than August 20, 2024. In consideration of these time constraints the Charter Review Commission decided to make every effort to transmit its report to the City Commission in time for its June 19, 2024 meeting. This transmittal date would provide the City Commission sufficient time to review and take final action of the Charter Review Commission's recommendations.

Recommended Charter Amendments

The following is a listing of Charter Amendments recommended by the Charter Review Commission. Listing for reference is by Article and Section and subpart of the Charter.

Article 4, Section 7 – Regular and First Meetings of Commission

ADD language memorializing general public comments are a part of the recorded business meeting of the City Commission as is the current practice.



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Article 4, Section 8 – Election, Term, Qualifications, etc., of Commission; Mayor

ADD language creating “Term Limits” of two (2) terms per position. A person completing two terms can run again after a vacancy of one (1) term. For purposes of beginning the term limit count, term limits shall begin upon the next election in which the Mayor or City Commissioner is seated. 2024 – Mayor, Zone 2,4,6; 2026 – Zone 1,3,5.

Article 4, Section 13 – Absence of Members from Meetings of Commission

CHANGE the number of unexcused consecutive absences from meetings of the commission in which a member may remain in office from four (4) to two (2). And amending other sections in which absences are spoken.

Article 5, Section 21 – Filing Nomination Papers; Acceptance of Nomination; Qualification Fee; Primary Elections

DELETE subsection C. *“Whenever a candidate in any primary election shall receive a majority of all votes cast for a particular office, then the candidate shall be declared elected to the office, and no regular election to elect such an officer need then be held”.*

Article 5, Section 23 – Qualifications of Electors

DELETE portion of the section which reads *“On all propositions relating to the issuing of city bonds, only such qualified electors as are freeholders shall be eligible to vote”.* NOTE: The term “Freeholder” is a statutory definition to define one who owns real property.

Article 6, Section 27 – City Manager, Initial Appointment and Annual Evaluation, etc., Absence or Disability

CLARIFY the required annual evaluation shall be completed no later than December 31 of each calendar year.

Article 7, Section 29 – City Attorney, Initial Appointment and Annual Evaluation, etc., Absence or Disability

CLARIFY the required annual evaluation shall be completed no later than December 31 of each calendar year.



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Article 8, Section 31 – City Auditor, Initial Appointment and Annual Evaluation, etc., Absence or Disability

CLARIFY the required annual evaluation shall be completed no later than December 31 of each calendar year.

REPLACE language which states “may appoint” with “shall appoint” with regard to the appointment of a City Auditor.

Article 12, New Section 45.1 (or other area within the Charter as appropriate)

ADD language to the effect of “The City desires to preserve our environmental resources for the quality of life and economic prosperity of its citizenry. In support of this, the commission shall by ordinance establish an Environmental Advisory Board and shall provide standards and procedures for such board. The purpose of the board is to review environmental regulations, standards, and best practices and make advisory recommendations to the commission. Qualifications of the board shall be established by ordinance.”

Closing

Although several other proposed amendments were brought forward and debated by the Charter Review Commission, by formal action, the aforementioned Charter amendments were affirmatively adopted for the review and consideration of the City Commission.

Next Steps

- June 19, 2024 – Report presented to City Commission as a discussion item
- July 3, 2024 – City Commission to offer direction to staff
- July 17, 2024 – Ordinance – First Reading – Referendum Question(s)
- August 7, 2024 – Ordinance – Second Reading – Referendum Question(s)
- August 20, 2024 – Ballot questions transmitted to Supervisor of Elections
- November 5, 2024 – Referendum ballot – General Election